

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

ENDO PHARMACEUTICALS INC.
and GRÜNENTHAL GMBH,

Plaintiffs,

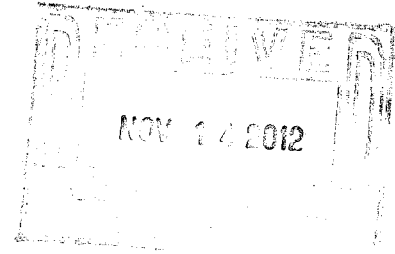
v.

SANDOZ INC.,

Defendant.

C.A. No. 12 CV 8318

COMPLAINT



Plaintiffs Endo Pharmaceuticals Inc. (“Endo”) and Grünenthal GmbH (“Grünenthal”) for their Complaint against Defendant Sandoz Inc. (“Sandoz” or “Defendant”), allege as follows:

PARTIES

1. Plaintiff Endo is a Delaware corporation, having its principal place of business at 100 Endo Boulevard, Chadds Ford, Pennsylvania 19317. Endo is a specialty pharmaceuticals company engaged in the research, development, sale and marketing of prescription pharmaceuticals used, among other things, to treat and manage pain. Endo markets and distributes OPANA[®] ER, an innovative crush-resistant opioid tablet (alternatively referred to herein as “Opana ER CRF”).

2. Plaintiff Grünenthal is a corporation organized and existing under the laws of Germany, having an address at 52078 Aachen, Zieglerstraße 6, North Rhine-Westphalia, Germany.

3. Upon information and belief, Sandoz is a Colorado corporation, having its principal place of business at 506 Carnegie Center, Suite 400, Princeton, New Jersey 08540.

4. Upon information and belief, Sandoz is a pharmaceutical company engaged in the

marketing, distribution, and sale of generic prescription pharmaceutical products throughout the United States, including in this judicial district.

NATURE OF ACTION

5. This is an action for patent infringement arising under the Patent Laws of the United States, 35 U.S.C. § 100, *et seq.* and the Declaratory Judgment Act, 28 U.S.C. § 2201, *et seq.*

JURISDICTION AND VENUE

6. This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331 and 1338(a) (patent infringement), and 28 U.S.C. §§ 2201 and 2202 (declaratory judgment).

7. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391(b) and 1400(b).

8. This Court has personal jurisdiction over the Defendant by virtue of the fact that, *inter alia*, it has committed — or aided, abetted, planned, contributed to, or participated in the commission of — tortious conduct in the State of New York that has led to foreseeable harm and injury to Plaintiffs.

9. Upon information and belief, Sandoz has submitted to FDA paperwork purporting to constitute an Abbreviated New Drug Application (“ANDA”) under § 505(j) of the Federal Food, Drug and Cosmetic Act, 21 U.S.C. § 355(j) (“ANDA No. 20-4321” or “Sandoz’s ANDA”), seeking approval to engage in the commercial manufacture, use, and sale of 5 mg, 10 mg, 20 mg, 30mg, and 40 mg oxymorphone hydrochloride extended-release tablets, (“Sandoz’s ANDA Products”), as a generic version of the drug described in Endo’s sNDA 201655.

10. Upon information and belief, Sandoz intends to market, distribute, and sell its ANDA Products in this judicial district if its ANDA is approved by FDA.

11. Moreover, Sandoz maintains continuous and systematic contacts with the State of New York and this District.

12. Upon information and belief, Sandoz is registered with the New York State Department of State as a corporation actively conducting business within New York and maintains a registered agent within the state.

13. Upon information and belief, Sandoz currently sells significant quantities of numerous generic drug products in New York. Those products include, for example, generic versions of Lipitor®, Prilosec®, and Lovenox®.

14. On information and belief, Sandoz purchases, markets, distributes, and sells generic pharmaceuticals manufactured in New York at a facility located at 227-15 N. Conduit Ave, Laurelton, NY 11413.

15. Furthermore, Sandoz has previously availed itself of the U.S. District Court for the Southern District of New York as a plaintiff in patent litigation. *See, e.g., Sandoz Inc. v. Pfizer Inc.*, 06-cv-01222-LAP.

16. Moreover, Sandoz has also been sued as a patent infringer in this Court, asserted counterclaims in this Court, and admitted that this Court has personal jurisdiction over it under the New York long-arm statute, N.Y.C.P.L.R. § 301, *et seq.* *See, e.g., TEVA Pharmaceuticals USA, Inc., et al. v. Sandoz, Inc., et al.*, 08-cv-07611-BSJ –AJP.

17. Based on the facts and causes alleged herein, and for additional reasons to be developed through discovery, this Court has personal jurisdiction over Sandoz.

FACTUAL BACKGROUND

The Drug Approval Process

18. A company seeking to market a new drug in the United States must first obtain

approval from FDA, typically through the filing of a New Drug Application (“NDA”). *See* 21 U.S.C. § 355(a). The sponsor of the NDA is required to submit information on all patents claiming the drug that is the subject of the NDA, or a method of using that drug, to FDA, and upon approval, FDA then lists such patent information in its publication, the *Approved Drug Products with Therapeutic Equivalence Evaluations*, which is referred to as the “Orange Book.” *See* 21 U.S.C. § 355(b)(1) and (c)(2).

19. On the other hand, a company seeking to market a generic version of a previously approved drug is not required to submit a full NDA. Instead, it may file an ANDA. *See* 21 U.S.C. § 355(j). The generic drug approval process is considered “abbreviated” because the generic manufacturer may piggyback on the innovator company’s data and FDA’s prior finding of safety and efficacy by demonstrating, among other things, that the generic product is bioequivalent to the previously approved drug (the “listed drug” or “branded drug”).

20. In conjunction with this “abbreviated” application process, Congress has put in place a process for resolving patent disputes relating to generic drugs, under which an ANDA filer must provide certifications addressing each of the patents listed in the Orange Book for the branded drug. *See* 21 U.S.C. § 355(j)(2)(A)(vii); 21 C.F.R. § 314.94(a)(12). An ANDA filer may certify, for instance, that it believes a patent is invalid or will not be infringed by the manufacture, use, or sale of the generic drug for which the ANDA is submitted. *See* 21 U.S.C. § 355(j)(2)(A)(vii)(IV); 21 C.F.R. § 314.94(a)(12)(i)(A)(4). This is known as a “Paragraph IV Certification.”

21. The sponsor of an ANDA which is accepted for review by FDA that contains a Paragraph IV Certification must provide notice (“Paragraph IV Notice”) to both the owner of the listed patents and the holder of the NDA for the referenced listed drug. The certification must

include a detailed statement of the factual and legal bases for the applicant's belief that the challenged patent is invalid or not infringed by the proposed generic product. 21 U.S.C. § 355(j)(2)(B); 21 C.F.R. § 314.95.

22. If the patentee or NDA holder files a patent infringement action within 45 days of receiving a Paragraph IV Notice from an ANDA filer, final approval of the ANDA is generally subject to a 30-month stay of regulatory approval. *See* 21 U.S.C. § 355(j)(5)(B)(iii); 21 C.F.R. § 314.107(b)(3). The 30-month stay is important to innovator companies, such as Endo and Grünenthal, because it protects them from the severe financial harm that could otherwise ensue from FDA granting approval to a potentially infringing product without first providing an opportunity for the innovators to prove infringement and obtain an injunction prohibiting sale of the infringing product. Put another way, the innovator company is assured of a 30-month period during which it may try to enforce its intellectual property rights and resolve any patent dispute before the generic product enters the market. *See* 21 U.S.C. § 355(j)(5)(B)(iii).

Endo's Opana ER CRF NDA

23. On December 12, 2011, FDA approved Endo's Supplemental New Drug Application ("sNDA") 201655, under § 505(b) of the Federal Food, Drug and Cosmetic Act, 21 U.S.C. § 355(b), for a new dosage form of Opana ER which is a crush-resistant tablet that contains oxymorphone hydrochloride for the relief of pain (hereinafter, "Opana ER CRF").

24. Opana ER CRF is distributed throughout the United States for relief of moderate to severe pain in patients requiring continuous around the clock opioid treatment for an extended period of time.

THE ENDO PATENTS

25. On December 14, 2010, the PTO duly and legally issued U.S. Patent No.

7,851,482 (the '482 Patent), entitled "Method For Making Analgesics" to Johnson Matthey Public Limited Company ("Johnson Matthey") as assignee. Jen-Sen Dung, Erno M. Keskeny, and James J. Mencil are named as inventors. A true and correct copy of the '482 Patent is attached as Exhibit A.

26. Endo subsequently acquired full title to the '482 Patent, and accordingly, Endo is now the sole owner and assignee of the '482 Patent.

27. Information regarding the Endo '482 Patent was submitted to FDA for listing in the Orange Book. Pursuant to 21 C.F.R. § 314.53(e), FDA has listed the '482 Patent in the Orange Book with reference to NDA 201655.

28. Opana ER CRF is covered by one or more claims of the '482 Patent.

29. On November 13, 2012, the PTO duly and legally issued U.S. Patent No. 8,309,122 (the '122 Patent), entitled "Oxymorphone Controlled Release Formulations" to Endo Pharmaceuticals, Inc. as assignee. Huai-Hung Kao, Anand R. Baichwal, Troy McCall, and David Lee are named as inventors. A true and correct copy of the '122 Patent is attached as Exhibit B.

30. Endo is the sole owner and assignee of the '122 Patent.

31. Information regarding the Endo '122 Patent has been submitted to FDA for listing in the Orange Book.

32. Opana ER CRF is covered by one or more claims of the '122 Patent.

THE GRÜNENTHAL PATENTS

33. On February 14, 2012, the PTO duly and legally issued U.S. Patent No. 8,114,383 (the '383 Patent), entitled "Abuse-Proofed Dosage Form" to Gruenthal GmbH, also known as Grünenthal GmbH, as assignee. Johannes Bartholomäus, Heinrich Kugelmann, and Elisabeth

Arkenau-Marić are named as inventors. A true and correct copy of the '383 Patent is attached as Exhibit C.

34. On June 5, 2012, the PTO duly and legally issued U.S. Patent No. 8,192,722 (the '722 Patent), entitled "Abuse-Proofed Dosage Form" to Gruenenthal GmbH, also known as Grünenthal GmbH, as assignee. Elisabeth Arkenau-Marić, Johannes Bartholomäus, and Heinrich Kugelman are named as inventors. A true and correct copy of the '722 Patent is attached as Exhibit D.

35. On November 13, 2013, the PTO duly and legally issued U.S. Patent No. 8,309,060 (the '060 Patent), entitled "Abuse-Proofed Dosage Form" to Gruenenthal GmbH, also known as Grünenthal GmbH, as assignee. Elisabeth Arkenau-Marić, Johannes Bartholomäus, and Heinrich Kugelman are named as inventors. A true and correct copy of the '060 Patent is attached as Exhibit E.

36. Grünenthal is the assignee and owner of the '383, '722, and '060 Patents ("the Grünenthal Patents").

37. Endo has an exclusive license to the Grünenthal Patents from Grünenthal, including a right to enforce the Grünenthal Patents.

38. Information regarding the Grünenthal Patents was submitted to FDA for listing in the Orange Book. Pursuant to 21 C.F.R. § 314.53(e), FDA has listed the '383 and '722 Patents in the Orange Book with reference to NDA 201655.

39. Opana ER CRF is covered by one or more claims of each of the Grünenthal Patents.

SANDOZ'S ANDA FILING

40. Upon information and belief, some time before October 1, 2012, Sandoz

submitted to FDA paperwork purporting to constitute an Abbreviated New Drug Application (“ANDA”) under § 505(j) of the Federal Food, Drug and Cosmetic Act, 21 U.S.C. § 355(j), seeking approval to engage in the commercial manufacture, use, and sale of oxymorphone hydrochloride extended-release tablets, (“Sandoz’s ANDA Products”), as a generic version of the drug described in sNDA 201655.

41. In a letter dated October 1, 2012 addressed to Plaintiff Endo and received by Endo on October 2, 2012, Sandoz purported to notify Endo and Grünenthal that Sandoz had submitted ANDA No. 20-4321, naming Sandoz as the ANDA applicant and seeking approval to manufacture, use, or sell Sandoz’s ANDA Products with respect to the 5 mg, 10 mg, 20 mg, and 40 mg dosage forms before the expiration of the ’482, ’383, and ’722 Patents. In a letter dated October 9, 2012 addressed to Plaintiff Endo and received by Endo on October 11, 2012, Sandoz purported to notify Endo and Grünenthal that Sandoz had submitted ANDA No. 20-4321, naming Sandoz as the ANDA applicant and seeking approval to manufacture, use, or sell Sandoz’s ANDA Products with respect to the 30 mg dosage form before the expiration of the ’482, ’383, and ’722 Patents (collectively with the October 1, 2012 letter, the “Sandoz Notice Letters”).

42. The Sandoz Notice Letters claimed that Sandoz’s ANDA included a Paragraph IV Certification that it was Sandoz’s opinion that the claims of the ’482, ’383, and ’722 Patents are invalid, unenforceable, or are not infringed by the proposed manufacture, importation, use, sale, or offer for sale of the Sandoz ANDA Products.

43. This action is being commenced before the expiration of forty-five days from the date Endo received the Sandoz Notice Letters.

COUNT I: INFRINGEMENT OF THE '482 PATENT

44. Endo incorporates each of paragraphs 1-43 above as if set forth fully herein.

45. The submission of Sandoz's ANDA to FDA, which includes certification under § 505(j)(2)(A)(vii)(IV), constitutes infringement of the '482 Patent under 35 U.S.C. § 271(e)(2)(A).

46. Sandoz is seeking FDA approval to engage in the commercial manufacture, use, or sale of its ANDA Products before the expiration of the '482 Patent. If granted approval, Sandoz intends to launch its ANDA Product before expiration of the '482 Patent.

47. Sandoz's commercial manufacture, offer for sale, or sale of its ANDA Products would infringe the '482 Patent under 35 U.S.C. § 271(a)-(c).

48. Any launch by Sandoz of its ANDA Products before expiration of the '482 Patent would cause Endo to suffer immediate and irreparable harm.

49. Sandoz was aware of the existence of the '482 Patent, as demonstrated by its reference to that patent in the Sandoz Notice Letters, and was aware that the filing of its Paragraph IV Certification with respect to the '482 Patent would constitute infringement of the patent.

COUNT II: INFRINGEMENT OF THE '383 PATENT

50. Plaintiffs incorporate each of paragraphs 1-43 above as if set forth fully herein.

51. The submission of Sandoz's ANDA to FDA, which includes certification under § 505(j)(2)(A)(vii)(IV), constitutes infringement of the '383 Patent under 35 U.S.C. § 271(e)(2)(A).

52. Sandoz is seeking FDA approval to engage in the commercial manufacture, use, or sale of its ANDA Products before the expiration of the '383 Patent. If granted approval,

Sandoz intends to launch its ANDA Products before expiration of the '383 Patent.

53. Sandoz's commercial manufacture, offer for sale, or sale of its ANDA Products would infringe the '383 Patent under 35 U.S.C. § 271(a)-(c).

54. Any launch by Sandoz of its ANDA Products before expiration of the '383 Patent would cause Endo and Grünenthal to suffer immediate and irreparable harm.

55. Sandoz was aware of the existence of the '383 Patent, as demonstrated by its reference to that patent in the Sandoz Notice Letters, and was aware that the filing of its Paragraph IV Certification with respect to the '383 Patent would constitute infringement of the patent.

COUNT III: INFRINGEMENT OF THE '722 PATENT

56. Endo incorporates each of paragraphs 1-43 above as if set forth fully herein.

57. The submission of Sandoz's ANDA to FDA, which includes certification under § 505(j)(2)(A)(vii)(IV), constitutes infringement of the '722 Patent under 35 U.S.C. § 271(e)(2)(A).

58. Sandoz is seeking FDA approval to engage in the commercial manufacture, use, or sale of its ANDA Products before the expiration of the '722 Patent. If granted approval, Sandoz intends to launch its ANDA Products before expiration of the '722 Patent.

59. Sandoz's commercial manufacture, offer for sale, or sale of its ANDA Products would infringe the '722 Patent under 35 U.S.C. § 271(a)-(c).

60. Any launch by Sandoz of its ANDA Products before expiration of the '722 Patent would cause Endo to suffer immediate and irreparable harm.

61. Sandoz was aware of the existence of the '722 Patent, as demonstrated by its reference to that patent in the Sandoz Notice Letters, and was aware that the filing of its

Paragraph IV Certification with respect to the '722 Patent would constitute infringement of the patent.

COUNT IV: INFRINGEMENT OF THE '122 PATENT

62. Endo incorporates each of paragraphs 1-43 above as if set forth fully herein.

63. The submission of Sandoz's ANDA to FDA, which includes certification under § 505(j)(2)(A)(vii)(IV), constitutes infringement of the '122 Patent under 35 U.S.C. § 271(e)(2)(A).

64. Sandoz is seeking FDA approval to engage in the commercial manufacture, use, or sale of its ANDA Products before the expiration of the '122 Patent. If granted approval, Sandoz intends to launch its ANDA Products before expiration of the '122 Patent.

65. Sandoz's commercial manufacture, offer for sale, or sale of its ANDA Products would infringe the '122 Patent under 35 U.S.C. § 271(a)-(c).

66. Any launch by Sandoz of its ANDA Products before expiration of the '122 Patent would cause Endo to suffer immediate and irreparable harm.

COUNT V: INFRINGEMENT OF THE '060 PATENT

67. Plaintiffs incorporate each of paragraphs 1-43 above as if set forth fully herein.

68. The submission of Sandoz's ANDA to FDA, which includes certification under § 505(j)(2)(A)(vii)(IV), constitutes infringement of the '060 Patent under 35 U.S.C. § 271(e)(2)(A).

69. Sandoz is seeking FDA approval to engage in the commercial manufacture, use, or sale of its ANDA Products before the expiration of the '060 Patent. If granted approval, Sandoz intends to launch its ANDA Products before expiration of the '060 Patent.

70. Sandoz's commercial manufacture, offer for sale, or sale of its ANDA Products

would infringe the '060 Patent under 35 U.S.C. § 271(a)-(c).

71. Any launch by Sandoz of its ANDA Products before expiration of the '060 Patent would cause Endo and Grünenthal to suffer immediate and irreparable harm.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs Endo and Grünenthal respectfully request the following relief:

A. A judgment that Sandoz has infringed the '482 Patent, and a declaration that Sandoz's commercial manufacture, distribution, use, and sale of its ANDA Products would infringe the '482 Patent;

B. A declaration that the '482 Patent is valid and enforceable;

C. A judgment that Sandoz has infringed the '383 Patent, and a declaration that Sandoz's commercial manufacture, distribution, use, and sale of its ANDA Products would infringe the '383 Patent;

D. A declaration that the '383 Patent is valid and enforceable;

E. A judgment that Sandoz has infringed the '722 Patent, and a declaration that Sandoz's commercial manufacture, distribution, use, and sale of its ANDA Products would infringe the '722 Patent;

F. A declaration that the '722 Patent is valid and enforceable;

G. A judgment that Sandoz has infringed the '122 Patent, and a declaration that Sandoz's commercial manufacture, distribution, use, and sale of its ANDA Products would infringe the '122 Patent;

H. A declaration that the '122 Patent is valid and enforceable;

I. A judgment that Sandoz has infringed the '060 Patent, and a declaration that Sandoz's commercial manufacture, distribution, use, and sale of its ANDA Products would

infringe the '060 Patent;

J. A declaration that the '060 Patent is valid and enforceable;

K. An order, pursuant to 35 U.S.C. § 271(e)(4)(A), that the effective date of any approval of Sandoz's ANDA No. 20-4321 under § 505(j) of the Federal Food, Drug and Cosmetic Act, 21 U.S.C. § 355(j), shall not be earlier than the last expiration date of the '482, '383, '722, '122, and '060 Patents, including any extensions;

L. A permanent injunction, pursuant to 35 U.S.C. § 271(e)(4)(B), restraining and enjoining Sandoz, its officers, agents, servants and employees, and those persons in active concert or participation with any of them, from infringement of the '482, '383, '722, '122, and '060 Patents for the full terms thereof, including any extensions; and


M. An order that damages or other monetary relief be awarded to Endo and Grünenthal if Sandoz engages in the commercial manufacture, use, offer to sell, sale, distribution, or importation of its ANDA Products, or in inducing such conduct by others, prior to the expiration of the '482, '383, '722, '122, and '060 Patents, and any additional period of exclusivity to which Plaintiffs are or become entitled, and that any such damages or monetary relief be trebled and awarded to Endo and Grünenthal with prejudgment interest;

N. A declaration that this an exceptional case and an award of reasonable attorneys' fees pursuant to 35 U.S.C. § 285;

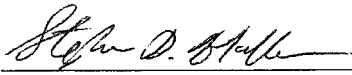
O. Reasonable attorneys' fees, filing fees, and reasonable costs of suit incurred by Endo and Grünenthal in this action; and

P. Such other and further relief as the Court may deem just and proper.

Dated: November 14, 2012

By: 
Joshua I. Sherman (JS 1129)
DECHERT LLP
1095 Avenue of the Americas
New York, NY 10036
(212) 698-3500
joshua.sherman@dechert.com

ATTORNEYS FOR PLAINTIFF
ENDO PHARMACEUTICALS INC.


Stephen D. Hoffman (SH 6089)
WILK AUSLANDER LLP
1515 Broadway, 43rd Floor
New York, NY 10036
(212) 981-2300
shoffman@wilkauslander.com

ATTORNEYS FOR PLAINTIFF
GRÜNENTHAL GMBH

Of Counsel:

Basil J. Lewris
Joann M. Neth
Jennifer H. Roscetti
FINNEGAN, HENDERSON, FARRABOW,
GARRETT & DUNNER LLP
901 New York Avenue, N.W.
Washington, DC 20001
(202) 408-4000
bill.lewris@finnegan.com
joann.neth@finnegan.com
jennifer.roschetti@finnegan.com

Anthony C. Tridico
Avenue Louise 326, Box 37
Brussels, Belgium B-1050
011 32 2 646 03 53
anthony.tridico@finnegan.com

ATTORNEYS FOR PLAINTIFF
GRÜNENTHAL GMBH

Martin J. Black
Robert D. Rhoad
DECHERT LLP
Cira Centre
2929 Arch Street
Philadelphia, PA 19104
(215) 994-4000

Ann M. Caviani Pease
Jonathan D. Loeb
DECHERT LLP
2440 W. El Camino Real
Suite 700
Mountain View, CA 94040
(650) 813-4800

ATTORNEYS FOR PLAINTIFF
ENDO PHARMACEUTICALS LLC

14708334

EXHIBIT A

US007851482B2

(12) **United States Patent**
Dung et al.(10) **Patent No.:** **US 7,851,482 B2**
(45) **Date of Patent:** **Dec. 14, 2010**(54) **METHOD FOR MAKING ANALGESICS**(75) Inventors: **Jen-Sen Dung**, Boothwyn, PA (US);
Erno M. Keskeny, Wilmington, DE
(US); **James J. Mencil**, North Wales, PA
(US)(73) Assignee: **Johnson Matthey Public Limited**
Compnay, London (GB)(*) Notice: Subject to any disclaimer, the term of this
patent is extended or adjusted under 35
U.S.C. 154(b) by 646 days.(21) Appl. No.: **11/866,840**(22) Filed: **Oct. 3, 2007**(65) **Prior Publication Data**

US 2008/0146601 A1 Jun. 19, 2008

(30) **Foreign Application Priority Data**

Dec. 14, 2006 (GB) 0624880.1

(51) **Int. Cl.****A61K 31/485** (2006.01)**C07D 489/04** (2006.01)(52) **U.S. Cl.** **514/282**; 546/45; 546/44(58) **Field of Classification Search** 514/282;
546/45, 44

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

3,332,950 A 7/1967 Blumberg et al.
3,433,791 A 3/1969 Bentley
3,812,132 A 5/1974 Grew et al.
3,845,770 A 11/1974 Theeuwes et al.
3,916,899 A 11/1975 Theeuwes et al.
4,063,064 A 12/1977 Saunders et al.
4,088,864 A 5/1978 Theeuwes et al.
4,200,098 A 4/1980 Ayer et al.
4,285,987 A 8/1981 Ayer et al.
4,861,598 A 8/1989 Oshlack
4,957,681 A 9/1990 Klimesch et al.
5,071,985 A 12/1991 Andre et al.
5,215,758 A 6/1993 Krishnamurthy
5,273,760 A 12/1993 Oshlack et al.
5,286,493 A 2/1994 Oshlack et al.
5,324,351 A 6/1994 Oshlack et al.
5,356,467 A 10/1994 Oshlack et al.
5,472,712 A 12/1995 Oshlack et al.
5,869,669 A 2/1999 Huang et al.
5,922,876 A 7/1999 Huang et al.
5,948,788 A 9/1999 Huang et al.
5,952,495 A 9/1999 Huang et al.
5,981,751 A 11/1999 Mudryk et al.
6,008,354 A 12/1999 Huang et al.
6,008,355 A 12/1999 Huang et al.
6,013,796 A 1/2000 Huang et al.
6,177,567 B1 1/2001 Chiu et al.
6,262,266 B1 7/2001 Chiu et al.
6,291,675 B1 9/2001 Coop et al.
6,365,742 B1 4/2002 Mudryk et al.
6,395,900 B1 5/2002 Coop et al.

6,403,798 B2 6/2002 Chiu et al.
6,723,894 B2 4/2004 Fist et al.
6,864,370 B1 3/2005 Lin et al.
6,949,645 B1 9/2005 Francis
7,071,336 B2 7/2006 Francis et al.
7,129,248 B2 10/2006 Chapman et al.
7,153,966 B2 12/2006 Casner et al.
2002/0045755 A1 4/2002 Coop et al.
2003/0129230 A1 7/2003 Baichwal et al.
2003/0129234 A1 7/2003 Baichwal et al.
2003/0157167 A1 8/2003 Kao et al.
2006/0009479 A1 1/2006 Bailey et al.
2006/0173029 A1 8/2006 Chapman et al.
2008/0045716 A1 2/2008 Smith et al.
2008/0125592 A1 5/2008 Huang
2008/0312442 A1 12/2008 Buehler et al.

FOREIGN PATENT DOCUMENTS

EP 0 359 647 3/1990
WO WO 99/02529 1/1999
WO WO 01/29048 4/2001
WO WO 2005/028483 3/2005
WO WO 2007/103105 A2 * 9/2007

OTHER PUBLICATIONS

Andrew Coop et al., "L-Selectride as a General Reagent for the
O-Demethylation and N-Decarbomethoxylation of Opium Alkaloids
and Derivatives," *J. Org. Chem.*, 1998, 63 (13), pp. 4392-4396.

Ulrich Weiss, Derivatives of Morphine. II. Demethylation of
14-hydroxycodeinone. 14-Hydroxymorphinone and 8,14-
Dihydroxydihydromorphinone, *J. Org. Chem.*, 1957, 22 (11), pp.
1505-1508.

U.S. Appl. No. 12/446,171 which is a National Stage of PCT/US07/
68009 to Bao-Shan Huang, filed May 2, 2007 and entitled "Process
for Preparing Oxymorphone".

U.S. Appl. No. 12/446,172 which is the National Stage of PCT/US07/
81513 to Bao-Shan Huang, filed Oct. 16, 2007 and entitled "Process
for Preparing Oxymorphone, Naltrexone, and Buprenorphine".

Andre et al., "O-Demethylation of Opioid Derivatives with Methane
Sulfonic Acid / Methionine: Application to the Synthesis of
Naloxone and Analogues," *Synthetic Communications*, vol. 22, No.
16, pp. 2313-2327 (1992).

Hosztafi et al., "Reactions of Azodicarboxylic Esters with Amines,"
Scientia Pharmaceutica, vol. 55, pp. 61-75 (1987).

Marton et al., "Herstellung von 6, 14-Ethenomorphinan-Derivaten,"
Monatshefte für Chemie, vol. 125, pp. 1229-1239 (1994).

* cited by examiner

Primary Examiner—Charanjit S Aulakh

(74) Attorney, Agent, or Firm—RatnerPrestia

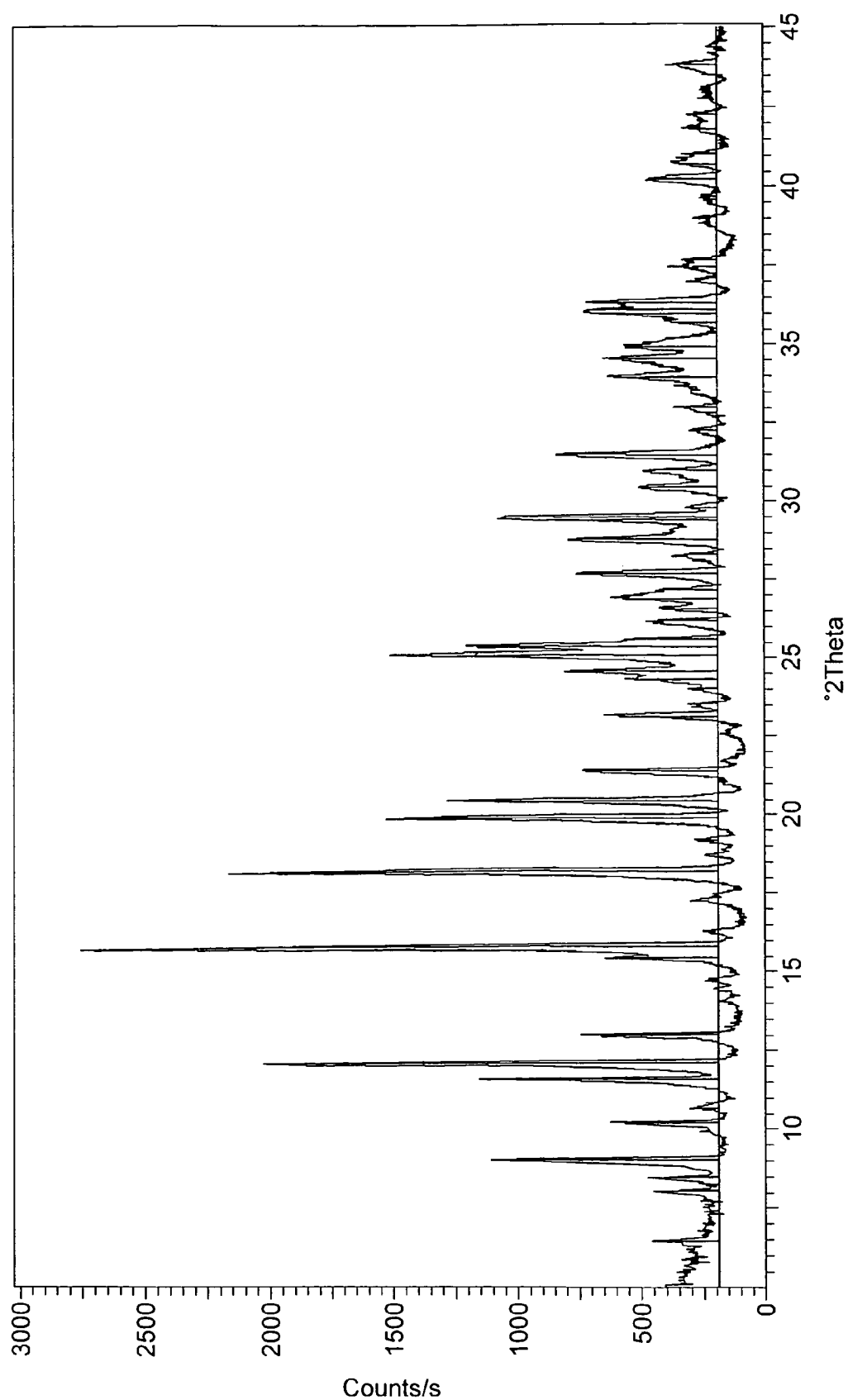
(57) **ABSTRACT**

Improved analgesic oxymorphone hydrochloride contains
less than 10 ppm of alpha, beta unsaturated ketones and
pharmaceutical preparations comprising such oxymorphone
hydrochloride. The oxymorphone hydrochloride is produced
by reducing a starting material oxymorphone hydrochloride
using gaseous hydrogen and under specified acidity, solvent
system and temperature conditions. A specific polymorph of
oxymorphone hydrochloride may be obtained by hydration.

U.S. Patent

Dec. 14, 2010

US 7,851,482 B2



US 7,851,482 B2

1

METHOD FOR MAKING ANALGESICS**FIELD OF THE INVENTION**

This invention concerns an improved method for making analgesics, more especially for making the opiate oxymorphone as its hydrochloride.

BACKGROUND OF THE INVENTION

Oxymorphone, generally administered in the form of its hydrochloride salt, is a potent semi-synthetic opiate analgesic, for the relief of moderate to severe pain, and has been approved for use since 1959. It can be administered as an injectable solution, suppository, tablet or extended release tablet. It is desirable to develop high purity forms of oxymorphone and a method for its synthesis.

Several methods for synthesising oxymorphone from compounds isolated from the opium poppy or compounds derived therefrom are known, for example, starting from morphine, thebaine, or from oxycodone. There remains the need for methods which permit the formation of oxymorphone with low contamination of alpha, beta unsaturated ketones. The present invention provides an improved oxymorphone product and a method for producing such oxymorphone.

U.S. Pat. No. 7,129,248 claims a process for producing oxycodone hydrochloride with less than 25 ppm of 14-hydroxycodeinone, by hydrogenating oxycodone having greater than 100 ppm 14-hydroxycodeinone. The synthetic route to oxycodone taught in US'248 starts from thebaine and produces 14-hydroxycodeinone as an intermediate product and 8,14-dihydroxy-7,8-dihydrocodeinone as a by-product resulting from over-oxidation of thebaine. During conversion of oxycodone free base to the hydrogen chloride salt, the by-product may undergo acid-catalysed dehydration and be converted into 14-hydroxycodeinone. Thus the final oxycodone hydrogen chloride salt contains unreacted 14-hydroxycodeinone as well as 14-hydroxycodeinone derived from the by-product 8,14-dihydroxy-7,8-dihydrocodeinone. A hydrogenation step is claimed to reduce contents of 14-hydroxycodeinone from at least 100 ppm to less than 25 ppm.

SUMMARY OF THE INVENTION

The present invention provides an oxymorphone hydrochloride product containing less than 10 ppm of alpha, beta unsaturated ketones.

The invention also provides a method of purifying oxymorphone hydrochloride to yield an oxymorphone hydrochloride product containing less than 10 ppm of alpha, beta unsaturated ketones, which method comprises reducing a starting material oxymorphone hydrochloride in a strongly acid water and alcohol solvent, using gaseous hydrogen at a temperature in the range from 60 to 70° C. Reduction is suitably carried out for a period of at least 20 hours, but in another embodiment, reduction is carried out for 1 to 20 hours.

BRIEF DESCRIPTION OF THE DRAWINGS

The invention will be described below with reference to the drawing, in which:

FIG. 1 is the Powder X-Ray Diffraction pattern collected for a hydrated oxymorphone hydrochloride product made according to Example 3.2D.

DETAILED DESCRIPTION OF THE INVENTION

Preferably, the solvent is ethanol/water, although other water miscible alcohols, such as isopropanol and n-propanol,

2

may be used. The reaction medium is very acidic, preferably by incorporating at least two equivalents of hydrochloric acid. A pH of less than 1 is desirable.

The reaction temperature is most preferably maintained at about 65° C. Hydrogen is conveniently supplied to the reaction vessel at 2.41 bar pressure.

The method of the invention has been able to reduce starting material oxymorphone hydrochloride having very high (of the order of 0.3 to 0.5%, or 3,000 to 5,000 ppm) content of alpha, beta unsaturated ketones to less than 10 ppm, and in many cases to undetectable levels (by HPLC).

The starting material oxymorphone hydrochloride may be an isolated or non-isolated material. Desirably, it has been obtained by the formation of the hydrogen chloride salt by heating oxymorphone free base in the presence of hydrochloric acid and an alcohol/water reaction medium. Suitable temperatures are 60-70° C. It can be seen that the reaction medium is ideal for the reduction of the method of the invention, so that it is generally not necessary to isolate the oxymorphone hydrochloride. However, the starting material oxymorphone hydrochloride may be isolated from the reaction medium or may be from another source.

The oxymorphone free base is itself preferably prepared by a reduction of 14-hydroxymorphinone. This may be carried out in a single- or two-stage process. The reduction is preferably carried out in acetic acid using gaseous hydrogen and a palladium on carbon catalyst. Preferred temperatures are of the order of 30° C. The base is precipitated by adding aqueous ammonia (NH₄OH).

This reduction may be in the presence of the reaction medium to which is added dichloromethane in methanol, Florasil and n-propanol.

The 14-hydroxymorphinone itself is most suitably prepared by hydroxylation of oripavine, using hydrogen peroxide in the presence of formic acid.

Oripavine is a known compound, which is extractable from poppy straw. The strain developed in Tasmania to be a high-Thebaine-yielding strain also produces higher than normal levels of oripavine.

The process of the invention is highly flexible, permitting many reaction steps to be carried out without isolation of intermediate products, whilst still retaining high (of the order of 50%) overall yields from oripavine, as well as remarkably high purity. Under favourable conditions, the presence of alpha, beta unsaturated ketones is undetectable by conventional means such as HPLC, but the skilled person can readily achieve less than 10 ppm contamination. The process of the invention has been successfully carried out at kilogram scale.

The oxymorphone hydrochloride having less than 10 ppm of alpha, beta unsaturated ketones can be incorporated into pharmaceutical dosage forms, e.g., by admixtures of the oxymorphone hydrochloride having less than 10 ppm of alpha, beta unsaturated ketones with conventional excipients, i.e., pharmaceutically acceptable organic or inorganic carrier substances. For oral formulations, the dosage forms can provide a sustained release of the active component. Suitable pharmaceutically acceptable carriers include but are not limited to, alcohols, gum arabic, vegetable oils, benzyl alcohols, polyethylene glycols, gelate, carbohydrates such as lactose, amylose or starch, magnesium stearate, talc, silicic acid, viscous paraffin, perfume oil, fatty acid monoglycerides and diglycerides, pentaerythritol fatty acid esters, hydroxy-methylcellulose, polyvinylpyrrolidone, etc. The pharmaceutical preparations can be sterilized and if desired mixed with auxiliary agents, e.g., lubricants, disintegrants, preservatives, stabilizers, wetting agents, emulsifiers, salts for influencing osmotic pressure buffers, colouring, flavouring and/or aro-

US 7,851,482 B2

3

matic substances and the like. The compositions intended for oral use may be prepared according to any method known in the art and such compositions may contain one or more agents selected from the group consisting of inert, non-toxic pharmaceutically acceptable excipients that are suitable for the manufacture of tablets. Such excipients include, for example an inert diluent such as lactose; granulating and disintegrating agents such as cornstarch; binding agents such as starch; and lubricating agents such as magnesium stearate. The tablets may be uncoated or they may be coated by known techniques for elegance or to delay release of the active ingredients. Formulations for oral use may also be presented as hard gelatin capsules wherein the active ingredient is mixed with an inert diluent. The oral dosage forms of the present invention may be in the form of tablets (sustained release and/or immediate release), troches, lozenges, powders or granules, hard or soft capsules, microparticles (e.g., microcapsules, microspheres and the like), buccal tablets, solutions, suspensions, etc.

In certain embodiments, the present invention provides for a method of treating pain by administering to a human patient the dosage forms described herein.

When the dosage form is oral, the dosage form of the present invention contains from about 1 mg to about 40 mg of oxymorphone hydrochloride having less than 10 ppm of alpha, beta unsaturated ketones. Particularly preferred dosages are about 5 mg, about 10 mg, about 20 mg or about 40 mg however other dosages may be used as well. The oxymorphone hydrochloride having less than 10 ppm of alpha, beta unsaturated ketones can also be formulated with suitable pharmaceutically acceptable excipients to provide a sustained release of having less than 10 ppm of alpha, beta unsaturated ketones. Such formulations can be prepared in accordance with US 2003/129230 A1, US 2003/129234 A1 and US 2003/157167 A1.

The oxymorphone hydrochloride having less than 10 ppm of alpha, beta unsaturated ketones can be formulated as a sustained release oral formulation in any suitable tablet, coated tablet or multiparticulate formulation known to those skilled in the art. The sustained release dosage form may include a sustained release material that is incorporated into a matrix along with the oxymorphone salt thereof.

The sustained release dosage form may optionally comprise particles containing oxymorphone hydrochloride having less than 10 ppm of alpha, beta unsaturated ketones. In certain embodiments, the particles have a diameter from about 0.1 mm to about 2.5 mm, preferably from about 0.5 mm to about 2 mm. Preferably, the particles are film coated with a material that permits release of the active at a sustained rate in an aqueous medium. The film coat is chosen so as to achieve, in combination with the other stated properties, desired release properties. The sustained release coating formulations of the present invention should preferably be capable of producing a strong, continuous film that is smooth and elegant, capable of supporting pigments and other coating additives, non-toxic, inert, and tack-free.

Coated Beads

In certain embodiments of the present invention a hydrophobic material is used to coat inert pharmaceutical beads such as nu pariel 18/20 beads, and a plurality of the resultant solid sustained release beads may thereafter be placed in a gelatin capsule in an amount sufficient to provide an effective sustained release dose when ingested and contacted by an environmental fluid, e.g., gastric fluid or dissolution media.

The sustained release bead formulations of the present invention slowly release the active component of the present

4

invention, e.g., when ingested and exposed to gastric fluids, and then to intestinal fluids. The sustained release profile of the formulations of the invention can be altered, for example, by varying the amount of overcoating with the hydrophobic material, altering the manner in which a plasticiser is added to the hydrophobic material, by varying the amount of plasticiser relative to hydrophobic material, by the inclusion of additional ingredients or excipients, by altering the method of manufacture, etc. The dissolution profile of the ultimate product may also be modified, for example, by increasing or decreasing the thickness of the retardant coating.

Spheroids or beads coated with the agent(s) of the present are prepared, e.g., by dissolving the agent(s) in water and then spraying the solution onto a substrate, for example, nu pariel 18/20 beads, using a Wurster insert. Optionally, additional ingredients are also added prior to coating the beads in order to assist the binding of the active to the beads, and/or to color the solution, etc. For example, a product that includes hydroxypropylmethylcellulose, etc with or without colorant (e.g., Opadry™, commercially available from Colorcon, Inc.) may be added to the solution and the solution mixed (e.g., for about 1 hour) prior to application of the same onto the beads. The resultant coated substrate, in these example beads, may then be optionally overcoated with a barrier agent, to separate the active component(s) from the hydrophobic sustained release coating. An example of a suitable barrier agent is one which comprises hydroxypropylmethylcellulose. However, any film-former known in the art may be used. It is preferred that the barrier agent does not affect the dissolution rate of the final product.

The beads may then be overcoated with an aqueous dispersion of the hydrophobic material. The aqueous dispersion of hydrophobic material preferably includes an effective amount of plasticiser, e.g. triethyl citrate. Pre-formulated aqueous dispersions of ethylcellulose, such as Aquacoat™ or Surelease™, may be used. If Surelease™ is used, it is not necessary to separately add a plasticiser. Alternatively, pre-formulated aqueous dispersions of acrylic polymers such as Eudragit™ can be used.

The coating solutions of the present invention preferably contain, in addition to the film-former, plasticiser, and solvent system (i.e., water), a colorant to provide elegance and product distinction. Colour may be added to the solution of the therapeutically active agent instead, or in addition to the aqueous dispersion of hydrophobic material. For example, colour may be added to Aquacoat™ via the use of alcohol or propylene glycol based colour dispersions, milled aluminium lakes and opacifiers such as titanium dioxide by adding colour with shear to water soluble polymer solution and then using low shear to the plasticised Aquacoat™. Alternatively, any suitable method of providing colour to the formulations of the present invention may be used. Suitable ingredients for providing colour to the formulation when an aqueous dispersion of an acrylic polymer is used include titanium dioxide and colour pigments, such as iron oxide pigments. The incorporation of pigments, may, however, increase the retard effect of the coating.

Plasticised hydrophobic material may be applied onto the substrate comprising the agent(s) by spraying using any suitable spray equipment known in the art. In a preferred method, a Wurster fluidised-bed system is used in which an air jet, injected from underneath, fluidizes the core material and effects drying while the acrylic polymer coating is sprayed on. A sufficient amount of the hydrophobic material to obtain a predetermined sustained release of the agent(s) when the coated substrate is exposed to aqueous solutions, e.g. gastric fluid, may be applied. After coating with the hydrophobic

US 7,851,482 B2

5

material, a further overcoat of a film-former, such as Opadry™, is optionally applied to the beads. This overcoat is provided, if at all, in order to substantially reduce agglomeration of the beads.

The release of the agent(s) from the sustained release formulation of the present invention can be further influenced, i.e., adjusted to a desired rate, by the addition of one or more release-modifying agents, or by providing one or more passageways through the coating. The ratio of hydrophobic material to water soluble material is determined by, among other factors, the release rate required and the solubility characteristics of the materials selected.

The release-modifying agents, which function as pore-formers may be organic or inorganic, and include materials that can be dissolved, extracted or leached from the coating in an environment of use. The pore-formers may comprise one or more hydrophilic materials such as hydroxypropylmethylcellulose.

The sustained release coatings of the present invention can also include erosion-promoting agents such as starch and gums.

The sustained release coatings of the present invention may also include materials useful for making microporous lamina in the environment of use, such as polycarbonates comprised of linear polyesters of carbonic acid in which carbonate groups reoccur in the polymer chain.

The release-modifying agent may also comprise a semi-permeable polymer.

In certain preferred embodiments, the release-modifying agent is selected from hydroxypropylmethylcellulose, lactose, metal stearates, and mixtures of any of the foregoing.

The sustained release coatings of the present invention may also include an exit means comprising at least one passageway, orifice, or the like. The passageway may be formed by such methods as those disclosed in U.S. Pat. No. 3,845,770, U.S. Pat. No. 3,916,899, U.S. Pat. No. 4,063,064 and U.S. Pat. No. 4,088,864.

Matrix Formulations

In other embodiments of the present invention, the sustained release formulation is achieved via a matrix optionally having a sustained release coating as set forth herein. The materials suitable for inclusion in a sustained release matrix may depend on the method used to form the matrix.

For example, a matrix in addition to the oxymorphone hydrochloride having less than 10 ppm of alpha, beta unsaturated ketones may include: hydrophilic and/or hydrophobic materials, such as gums, cellulose ethers, acrylic resins, protein derived materials. The list is not meant to be exclusive, any pharmaceutically acceptable hydrophobic material or hydrophilic material which is capable of imparting sustained release of the agent(s) and which melts (or softens to the extent necessary to be extruded) may be used in accordance with the present invention.

Digestible, long chain (C₈-C₅₀, especially C₁₂-C₄₀), substituted or unsubstituted hydrocarbons, such as fatty acids, fatty alcohols, glyceryl esters of fatty acids, mineral and vegetable oils and waxes, and stearyl alcohol; and polyalkylene glycols. Of these polymers, acrylic polymers, especially Eudragit™, RSPO—the cellulose ethers, especially hydroxyalkylcelluloses and carboxyalkylcelluloses, are preferred. The oral dosage form may contain between 1% and 80% (by weight) of at least one hydrophilic or hydrophobic material.

When the hydrophobic material is a hydrocarbon, the hydrocarbon preferably has a melting point of between 25° C. and 90° C. Of the long chain hydrocarbon materials, fatty

6

(aliphatic) alcohols are preferred. The oral dosage form may contain up to 60% (by weight) of at least one digestible, long chain hydrocarbon.

Preferably, the oral dosage form contains up to 60% (by weight) of at least one polyalkylene glycol.

The hydrophobic material is preferably selected from the group consisting of alkylcelluloses, acrylic and methacrylic acid polymers and copolymers, shellac, zein, hydrogenated castor oil, hydrogenated vegetable oil, or mixtures thereof. In certain preferred embodiments of the present invention, the hydrophobic material is a pharmaceutically acceptable acrylic polymer, including but not limited to acrylic acid and methacrylic acid copolymers, methyl methacrylate, methyl methacrylate copolymers, ethoxyethyl methacrylates, cyanoethyl methacrylate, aminoalkyl methacrylate copolymer, poly(acrylic acid), poly(methacrylic acid), methacrylic acid alkylamine copolymer, poly(methyl methacrylate), poly(methacrylic acid) (anhydride), polymethacrylate, polyacrylamide, poly(methacrylic acid anhydride), and glycidyl methacrylate copolymers. In other embodiments, the hydrophobic material is selected from materials such as hydroxyalkylcelluloses such as hydroxypropylmethylcellulose and mixtures of the foregoing.

Preferred hydrophobic materials are water-insoluble with more or less pronounced hydrophilic and/or hydrophobic trends. Preferably, the hydrophobic materials useful in the invention have a melting point from about 25° C. to about 200° C., preferably from about 45° C. to about 90° C. Specifically, the hydrophobic material may comprise natural or synthetic waxes, fatty alcohols (such as lauryl, myristyl, stearyl, cetyl or preferably cetostearyl alcohol), fatty acids, including but not limited to fatty acid esters, fatty acid glycerides (mono-, di-, and tri-glycerides), hydrogenated fats, hydrocarbons, normal waxes, stearic acid, stearyl alcohol and hydrophobic and hydrophilic materials having hydrocarbon backbones. Suitable waxes include, for example, beeswax, glycowax, castor wax and carnauba wax. For the purposes of the present invention, a wax-like substance is defined as any material that is normally solid at room temperature and has a melting point of from about 25° C. to about 100° C.

Suitable hydrophobic materials which may be used in accordance with the present invention include digestible, long chain (C₈-C₅₀, especially C₁₂-C₄₀), substituted or unsubstituted hydrocarbons, such as fatty acids, fatty alcohols, glyceryl esters of fatty acids, mineral and vegetable oils and natural and synthetic waxes. Hydrocarbons having a melting point of between 25° C. and 90° C. are preferred. Of the long chain hydrocarbon materials, fatty (aliphatic) alcohols are preferred in certain embodiments. The oral dosage form may contain up to 60% (by weight) of at least one digestible, long chain hydrocarbon. Preferably, a combination of two or more hydrophobic materials are included in the matrix formulations. If an additional hydrophobic material is included, it is preferably selected from natural and synthetic waxes, fatty acids, fatty alcohols, and mixtures of the same. Examples include beeswax, carnauba wax, stearic acid and stearyl alcohol. This list is not meant to be exclusive.

One particular suitable matrix comprises at least one water soluble hydroxyalkyl cellulose, at least one C₁₂-C₃₆, preferably C₁₄-C₂₂, aliphatic alcohol and, optionally, at least one polyalkylene glycol. The at least one hydroxyalkyl cellulose is preferably a hydroxy (C₁ to C₆) alkyl cellulose, such as hydroxypropylcellulose, hydroxypropyl-methylcellulose and, especially, hydroxyethylcellulose. The amount of the at least one hydroxyalkyl cellulose in the present oral dosage form will be determined, inter alia, by the precise rate of oxymorphone hydrochloride release required. The at least

US 7,851,482 B2

7

one aliphatic alcohol may be, for example, lauryl alcohol, myristyl alcohol or stearyl alcohol. In particularly preferred embodiments of the present oral dosage form, however, the at least one aliphatic alcohol is cetyl alcohol or cetostearyl alcohol. The amount of the at least one aliphatic alcohol in the present oral dosage form will be determined, as above, by the precise rate of opioidoxycodone release required. It will also depend on whether at least one polyalkylene glycol is present in or absent from the oral dosage form. In the absence of at least one polyalkylene glycol, the oral dosage form preferably contains between 20% and 50% (by wt) of the at least one aliphatic alcohol. When at least one polyalkylene glycol is present in the oral dosage form, then the combined weight of the at least one aliphatic alcohol and the at least one polyalkylene glycol preferably constitutes between 20% and 50% (by wt) of the total dosage.

In one embodiment, the ratio of, e.g., the at least one hydroxyalkyl cellulose or acrylic resin to the at least one aliphatic alcohol/polyalkylene glycol determines, to a (w/w) of the at least one hydroxyalkyl cellulose to the at least one aliphatic alcohol/polyalkylene glycol of between 1:2 and 1:4 is preferred, with a ratio of between 1:3 and 1:4 being particularly preferred.

The at least one polyalkylene glycol may be, for example, polypropylene glycol or, preferably, polyethylene glycol. The number average molecular weight of the at least one polyalkylene glycol is preferably between 1,000 and 15,000 especially between 1,500 and 12,000.

Another suitable sustained release matrix would comprise an alkylcellulose (especially ethyl cellulose), a C₁₂ to C₃₆ aliphatic alcohol and, optionally, a polyalkylene glycol.

In another preferred embodiment, the matrix includes a pharmaceutically acceptable combination of at least two hydrophobic materials.

In addition to the above ingredients, a sustained release matrix may also contain suitable quantities of other materials, e.g. diluents, lubricants, binders, granulating aids, colorants, flavorants and glidants that are conventional in the pharmaceutical art.

Matrix—Particulates

In order to facilitate the preparation of a solid, sustained release, oral dosage form according to this invention, any method of preparing a matrix formulation known to those skilled in the art may be used. For example incorporation in the matrix may be effected, for example, by (a) forming granules comprising at least one water soluble hydroxyalkyl cellulose, and the oxycodone hydrochloride having less than 10 ppm of alpha, beta unsaturated ketones; (b) mixing the hydroxyalkyl cellulose containing granules with at least one C₁₂ to C₃₆ aliphatic alcohol; and (c) optionally, compressing and shaping the granules. Preferably, the granules are formed by wet granulating the hydroxyalkyl cellulose granules with water.

In yet other alternative embodiments, a spheronizing agent, together with the active component can be spheronized to form spheroids. Microcrystalline cellulose is a preferred spheronizing agent. A suitable microcrystalline cellulose is, for example, the material sold as Avicel PH 101 (Trade Mark, FMC Corporation). In such embodiments, in addition to the active ingredient and spheronizing agent, the spheroids may also contain a binder. Suitable binders, such as low viscosity, water soluble polymers, will be well known to those skilled in the pharmaceutical art. However, water soluble hydroxy lower alkyl cellulose, such as hydroxypropyl-cellulose, are preferred. Additionally (or alternatively) the spheroids may contain a water insoluble polymer, especially an acrylic poly-

8

mer, an acrylic copolymer, such as a methacrylic acid-ethyl acrylate copolymer, or ethyl cellulose. In such embodiments, the sustained release coating will generally include a hydrophobic material such as (a) a wax, either alone or in admixture with a fatty alcohol; or (b) shellac or zein.

Melt Extrusion Matrix

Sustained release matrices can also be prepared via melt-granulation or melt-extrusion techniques. Generally, melt-granulation techniques involve melting a normally solid hydrophobic material, e.g. a wax, and incorporating a powdered drug therein. To obtain a sustained release dosage form, it may be necessary to incorporate an additional hydrophobic substance, e.g. ethylcellulose or a water-insoluble acrylic polymer, into the molten wax hydrophobic material. Examples of sustained release formulations prepared via melt-granulation techniques are found in U.S. Pat. No. 4,861,598.

The additional hydrophobic material may comprise one or more water-insoluble wax-like thermoplastic substances possibly mixed with one or more wax-like thermoplastic substances being less hydrophobic than said one or more water-insoluble wax-like substances. In order to achieve constant release, the individual wax-like substances in the formulation should be substantially non-degradable and insoluble in gastrointestinal fluids during the initial release phases. Useful water-insoluble wax-like substances may be those with a water-solubility that is lower than about 1:5,000 (w/w).

In addition to the above ingredients, a sustained release matrix may also contain suitable quantities of other materials, e.g., diluents, lubricants, binders, granulating aids, colorants, flavourants and glidants that are conventional in the pharmaceutical art. The quantities of these additional materials will be sufficient to provide the desired effect to the desired formulation.

In addition to the above ingredients, a sustained release matrix incorporating melt-extruded multiparticulates may also contain suitable quantities of other materials, e.g. diluents, lubricants, binders, granulating aids, colourants, flavourants and glidants that are conventional in the pharmaceutical art in amounts up to about 50% by weight of the particulate if desired.

Specific examples of pharmaceutically acceptable carriers and excipients that may be used to formulate oral dosage forms are described in the Handbook of Pharmaceutical Excipients, American Pharmaceutical Association (1986).

Melt Extrusion Multiparticulates

The preparation of a suitable melt-extruded matrix according to the present invention may, for example, include the steps of blending the oxycodone hydrochloride having less than 10 ppm of alpha, beta unsaturated ketones together with at least one hydrophobic material and preferably the additional hydrophobic material to obtain a homogeneous mixture. The homogeneous mixture is then heated to a temperature sufficient to at least soften the mixture sufficiently to extrude the same. The resulting homogeneous mixture is then extruded to form strands. The extrudate is preferably cooled and cut into multiparticulates by any means known in the art. The strands are cooled and cut into multiparticulates. The multiparticulates are then divided into unit doses. The extrudate preferably has a diameter of from about 0.1 mm to about 5 mm and provides sustained release of the therapeutically active agent for a time period of from about 8 hours to about 24 hours.

An optional process for preparing the melt extrusions of the present invention includes directly metering into an extruder a hydrophobic material, the oxycodone hydrochloride

US 7,851,482 B2

9

having less than 10 ppm of alpha, beta unsaturated ketones, and an optional binder; heating the homogenous mixture; extruding the homogenous mixture to thereby form strands; cooling the strands containing the homogeneous mixture; cutting the strands into particles having a size from about 0.1 mm to about 12 mm; and dividing said particles into unit doses. In this aspect of the invention, a relatively continuous manufacturing procedure is realized.

The diameter of the extruder aperture or exit port can also be adjusted to vary the thickness of the extruded strands. Furthermore, the exit part of the extruder need not be round; it can be oblong, rectangular, etc. The exiting strands can be reduced to particles using a hot wire cutter, guillotine, etc.

The melt extruded multiparticulate system can be, for example, in the form of granules, spheroids or pellets depending upon the extruder exit orifice. For the purposes of the present invention, the terms "melt-extruded multiparticulate(s)" and "melt-extruded multiparticulate system(s)" and "melt-extruded particles" shall refer to a plurality of units, preferably within a range of similar size and/or shape and containing one or more active agents and one or more excipients, preferably including a hydrophobic material as described herein. In this regard, the melt-extruded multiparticulates will be of a range of from about 0.1 mm to about 12 mm in length and have a diameter of from about 0.1 mm to about 5 mm. In addition, it is to be understood that the melt-extruded multiparticulates can be any geometrical shape within this size range. Alternatively, the extrudate may simply be cut into desired lengths and divided into unit doses of the therapeutically active agent without the need of a spheronization step.

In one preferred embodiment, oral dosage forms are prepared to include an effective amount of melt-extruded multiparticulates within a capsule. For example, a plurality of the melt-extruded multiparticulates may be placed in a gelatin capsule in an amount sufficient to provide an effective sustained release dose when ingested and contacted by gastric fluid.

In another preferred embodiment, a suitable amount of the multiparticulate extrudate is compressed into an oral tablet using conventional tableting equipment using standard techniques. Techniques and compositions for making tablets (compressed and moulded), capsules (hard and soft gelatin) and pills are also described in Remington's Pharmaceutical Sciences, (Arthur Osol, editor), 1553-1593 (1980).

In yet another preferred embodiment, the extrudate can be shaped into tablets as set forth in U.S. Pat. No. 4,957,681, described in additional detail above.

Optionally, the sustained release melt-extruded multiparticulate systems or tablets can be coated, or the gelatin capsule containing the multiparticulates can be further coated, with a sustained release coating such as the sustained release coatings described above. Such coatings preferably include a sufficient amount of hydrophobic material to obtain a weight gain level from about 2% to about 30%, although the overcoat may be greater depending upon the desired release rate, among other things.

The melt-extruded unit dosage forms of the present invention may further include combinations of melt-extruded particles before being encapsulated. Furthermore, the unit dosage forms can also include an amount of an immediate release agent for prompt release. The immediate release agent may be incorporated, e.g., as separate pellets within a gelatin capsule, or may be coated on the surface of the multiparticulates after preparation of the dosage forms (e.g., sustained release coating or matrix-based). The unit dosage forms of the present

10

invention may also contain a combination of sustained release beads and matrix multiparticulates to achieve a desired effect.

The sustained release formulations of the present invention preferably slowly release the agent(s), e.g. when ingested and exposed to gastric fluids, and then to intestinal fluids. The sustained release profile of the melt-extruded formulations of the invention can be altered, for example, by varying the amount of retardant, i.e., hydrophobic material, by varying the amount of plasticiser relative to hydrophobic material, by the inclusion of additional ingredients or excipients, by altering the method of manufacture, etc.

In other embodiments of the invention, the melt extruded material is prepared without the inclusion of the oxymorphone hydrochloride having less than 10 ppm of alpha, beta unsaturated ketones, which can be added thereafter to the extrudate. Such formulations typically will have the agents blended together with the extruded matrix material, and then the mixture would be tableted in order to provide a slow release formulation.

Coatings

The dosage forms of the present invention may optionally be coated with one or more materials suitable for the regulation of release or for the protection of the formulation. In one embodiment, coatings are provided to permit either pH-dependent or pH-independent release. A pH-dependent coating serves to release the active in desired areas of the gastrointestinal (GI) tract, e.g. the stomach or small intestine, such that an absorption profile is provided which is capable of providing at least about eight hours and preferably about twelve hours to up to about twenty-four hours of analgesia to a patient. When a pH-independent coating is desired, the coating is designed to achieve optimal release regardless of pH-changes in the environmental fluid, e.g., the GI tract. It is also possible to formulate compositions that release a portion of the dose in one desired area of the GI tract, e.g., the stomach, and release the remainder of the dose in another area of the GI tract, e.g., the small intestine.

Formulations according to the invention that utilize pH-dependent coatings to obtain formulations may also impart a repeat-action effect whereby unprotected drug is coated over the enteric coat and is released in the stomach, while the remainder, being protected by the enteric coating, is released further down the gastrointestinal tract. Coatings which are pH-dependent may be used in accordance with the present invention include shellac, cellulose acetate phthalate (CAP), polyvinyl acetate phthalate (PVAP), hydroxypropylmethylcellulose phthalate, and methacrylic acid ester copolymers, zein, and the like.

In certain preferred embodiments, the substrate (e.g., tablet core bead, matrix particle) containing the oxymorphone hydrochloride having less than 10 ppm of alpha, beta unsaturated ketones thereof is coated with a hydrophobic material selected from (i) an alkylcellulose; (ii) an acrylic polymer; or (iii) mixtures thereof. The coating may be applied in the form of an organic or aqueous solution or dispersion. The coating may be applied to obtain a weight gain from about 2% to about 25% of the substrate in order to obtain a desired sustained release profile. Coatings derived from aqueous dispersions are described in detail U.S. Pat. No. 5,273,760, U.S. Pat. No. 5,286,493, U.S. Pat. No. 5,324,351, U.S. Pat. No. 5,356,467, and U.S. Pat. No. 5,472,712.

Alkylcellulose Polymers

Cellulosic materials and polymers, including alkylcelluloses, provide hydrophobic materials well suited for coating the beads according to the invention. Simply by way of example, one preferred alkylcellulosic polymer is ethylcellulose,

US 7,851,482 B2

11

although the artisan will appreciate that other cellulose and/or alkylcellulose polymers may be readily employed, singly or in any combination, as all or part of a hydrophobic coating according to the invention.

Acrylic Polymers

In other preferred embodiments of the present invention, the hydrophobic material comprising the sustained release coating is a pharmaceutically acceptable acrylic polymer, including but not limited to acrylic acid and methacrylic acid copolymers, methyl methacrylate copolymers, ethoxyethyl methacrylates, cyanoethyl methacrylate, poly(acrylic acid), poly(methacrylic acid), methacrylic acid alkylamide copolymer, poly(methyl methacrylate), polymethacrylate, poly(methyl methacrylate) copolymer, polyacrylamide, aminoalkyl methacrylate copolymer, poly(methacrylic acid anhydride), and glycidyl methacrylate copolymers.

In certain preferred embodiments, the acrylic polymer is comprised of one or more ammonio methacrylate copolymers. Ammonio methacrylate copolymers are well known in the art, and are described as fully polymerised copolymers of acrylic and methacrylic acid esters with a low content of quaternary ammonium groups.

In order to obtain a desirable dissolution profile, it may be necessary to incorporate two or more ammonio methacrylate copolymers having differing physical properties, such as different molar ratios of the quaternary ammonium groups to the neutral (meth)acrylic esters.

Certain methacrylic acid ester-type polymers are useful for preparing pH-dependent coatings, which may be used in accordance with the present invention. For example, there are a family of copolymers synthesized from diethylaminoethyl methacrylate and other neutral methacrylic esters, also known as methacrylic acid copolymer or polymeric methacrylates, commercially available as Eudragit™ from Rohm Tech, Inc. There are several different types of Eudragit™, for example Eudragit™ E is an example of a methacrylic acid copolymer that swells and dissolves in acidic media. Eudragit™ L is a methacrylic acid copolymer which does not swell at about pH<5.7 and is soluble at about pH>6. Eudragit™ S does not swell at about pH<6.5 and is soluble at about pH>7. Eudragit™ RL and Eudragit™ RS are water swellable, and the amount of water absorbed by these polymers is pH-dependent, however, dosage forms coated with Eudragit™ RL and RS are pH-independent.

In certain preferred embodiments, the acrylic coating comprises a mixture of two acrylic resin lacquers commercially available from Rohm Pharma under the Tradenames Eudragit™ RL30D and Eudragit™ RS30D, respectively. Eudragit™ RL30D and Eudragit™ RS30D are copolymers of acrylic and methacrylic esters with a low content of quaternary ammonium groups, the molar ratio of ammonium groups to the remaining neutral (meth)acrylic esters being 1:20 in Eudragit™ RL30D and 1:40 in Eudragit™ RS30D. The mean molecular weight is about 150,000. The code designations RL (high permeability) and RS (low permeability) refer to the permeability properties of these agents. Eudragit™ RL/RS mixtures are insoluble in water and in digestive fluids. However, coatings formed from the same are swellable and permeable in aqueous solutions and digestive fluids.

The Eudragit™ RL/RS dispersions of the present invention may be mixed together in any desired ratio in order to ultimately obtain a sustained release formulation having a desirable dissolution profile. Desirable sustained release formulations may be obtained, for instance, from a retardant coating derived from 100% Eudragit™ RL, 50% Eudragit™ RL and

12

50% Eudragit™ RS, or 10% Eudragit™ RL and 90% Eudragit™ RS. Of course, one skilled in the art will recognize that other acrylic polymers may also be used, such as, for example, Eudragit™ L.

5 Plasticizers

In embodiments of the present invention where the coating comprises an aqueous dispersion of a hydrophobic material, the inclusion of an effective amount of a plasticiser in the aqueous dispersion of hydrophobic material will further improve the physical properties of the sustained release coating. For example, because ethyl-cellulose has a relatively high glass transition temperature and does not form flexible films under normal coating conditions, it is preferable to incorporate a plasticiser into an ethylcellulose coating containing sustained release coating before using the same as a coating material. Generally, the amount of plasticiser included in a coating solution is based on the concentration of the film-former, e.g., most often from about 1 wt % to about 50 wt % of the film-former. Concentration of the plasticiser, however, can only be properly determined after careful experimentation with the particular coating solution and method of application.

Examples of suitable plasticizers for ethylcellulose include water insoluble plasticizers such as dibutyl sebacate, diethyl phthalate, triethyl citrate, tributyl citrate, and triacetin, although it is possible that other water-insoluble plasticizers (such as acetylated monoglycerides, phthalate esters, castor oil, etc.) may be used. Triethyl citrate is an especially preferred plasticiser for the aqueous dispersions of ethyl cellulose of the present invention.

Examples of suitable plasticizers for the acrylic polymers of the present invention include, but are not limited to citric acid esters such as triethyl citrate, tributyl citrate, dibutyl phthalate, and possibly 1,2-propylene glycol. Other plasticizers that have proved to be suitable for enhancing the elasticity of the films formed from acrylic films such as Eudragit™ RL/RS lacquer solutions include polyethylene glycols, propylene glycol, diethyl phthalate, castor oil, and triacetin. Triethyl citrate is an especially preferred plasticiser for the aqueous dispersions of ethyl cellulose of the present invention.

The addition of a small amount of talc may also help reduce the tendency of the aqueous dispersion to stick during processing, and may act as a polishing agent.

45 Sustained Release Osmotic Dosage Form

Sustained release dosage forms according to the present invention may also be prepared as osmotic dosage formulations. The osmotic dosage forms preferably include a bilayer core comprising a drug layer (containing the oxymorphone hydrochloride having less than 10 ppm of alpha, beta unsaturated ketones) and a delivery or push layer, wherein the bilayer core is surrounded by a semipermeable wall and optionally having at least one passageway disposed therein.

The expression "passageway" as used for the purpose of this invention, includes aperture, orifice, bore, pore, porous element through which oxymorphone hydrochloride having less than 10 ppm of alpha, beta unsaturated ketones can be pumped, diffuse or migrate through a fibre, capillary tube, porous overlay, porous insert, microporous member, or porous composition. The passageway can also include a compound that erodes or is leached from the wall in the fluid environment of use to produce at least one passageway. Representative compounds for forming a passageway include erodible poly(glycolic) acid, or poly(lactic) acid in the wall; a gelatinous filament; a water-removable poly(vinyl alcohol); leachable compounds such as fluid-removable pore-forming polysaccharides, acids, salts or oxides. A passageway can be

US 7,851,482 B2

13

formed by leaching a compound from the wall, such as sorbitol, sucrose, lactose, maltose, or fructose, to form a sustained-release dimensional pore-passageway. The dosage form can be manufactured with one or more passageways in spaced-apart relation on one or more surfaces of the dosage form. A passageway and equipment for forming a passageway are disclosed in U.S. Pat. No. 3,845,770, U.S. Pat. No. 3,916,899, U.S. Pat. No. 4,063,064 and U.S. Pat. No. 4,088,864. Passageways comprising sustained-release dimensions sized, shaped and adapted as a releasing-pore formed by aqueous leaching to provide a releasing-pore of a sustained-release rate are disclosed in U.S. Pat. No. 4,200,098 and U.S. Pat. No. 4,285,987.

In certain embodiments the drug layer may also comprise at least one polymer hydrogel. The polymer hydrogel may have an average molecular weight of between about 500 and about 6,000,000. Examples of polymer hydrogels include but are not limited to a maltodextrin polymer comprising the formula $(C_6H_{12}O_5)_n \cdot H_2O$, wherein n is 3 to 7,500, and the maltodextrin polymer comprises a 500 to 1,250,000 number-average molecular weight; a poly(alkylene oxide) represented by, e.g., a poly(ethylene oxide) and a poly(propylene oxide) having a 50,000 to 750,000 weight-average molecular weight, and more specifically represented by a poly(ethylene oxide) of at least one of 100,000, 200,000, 300,000 or 400,000 weight-average molecular weights; an alkali carboxyalkylcellulose, wherein the alkali is sodium or potassium, the alkyl is methyl, ethyl, propyl, or butyl of 10,000 to 175,000 weight-average molecular weight; and a copolymer of ethylene-acrylic acid, including methacrylic and ethacrylic acid of 10,000 to 500,000 number-average molecular weight.

In certain embodiments of the present invention, the delivery or push layer comprises an osmopolymer. Examples of an osmopolymer include but are not limited to a member selected from the group consisting of a polyalkylene oxide and a carboxyalkylcellulose. The polyalkylene oxide possesses a 1,000,000 to 10,000,000 weight-average molecular weight. The polyalkylene oxide may be a member selected from the group consisting of polymethylene oxide, polyethylene oxide, polypropylene oxide, polyethylene oxide having a 1,000,000 average molecular weight, polyethylene oxide comprising a 5,000,000 average molecular weight, polyethylene oxide comprising a 7,000,000 average molecular weight, cross-linked polymethylene oxide possessing a 1,000,000 average molecular weight, and polypropylene oxide of 1,200,000 average molecular weight. Typical osmopolymer carboxyalkylcellulose comprises a member selected from the group consisting of alkali carboxyalkylcellulose, sodium carboxymethylcellulose, potassium carboxymethylcellulose, sodium carboxyethylcellulose, lithium carboxymethylcellulose, sodium carboxyethylcellulose, carboxyalkylhydroxyalkylcellulose, carboxymethylhydroxyethyl cellulose, carboxyethylhydroxyethylcellulose and carboxymethylhydroxypropylcellulose. The osmopolymers used for the displacement layer exhibit an osmotic pressure gradient across the semipermeable wall. The osmopolymers imbibe fluid into dosage form, thereby swelling and expanding as an osmotic hydrogel (also known as an osmogel), whereby they push the oxymorphone hydrochloride having less than 10 ppm of alpha, beta unsaturated ketones thereof from the osmotic dosage form.

The push layer may also include one or more osmotically effective compounds also known as osmagents and as osmotically effective solutes. They imbibe an environmental fluid, for example, from the gastrointestinal tract, into dosage form and contribute to the delivery kinetics of the displacement layer. Examples of osmotically active compounds comprise a

14

member selected from the group consisting of osmotic salts and osmotic carbohydrates. Examples of specific osmagents include but are not limited to sodium chloride, potassium chloride, magnesium sulphate, lithium phosphate, lithium chloride, sodium phosphate, potassium sulphate, sodium sulphate, potassium phosphate, glucose, fructose and maltose.

The push layer may optionally include a hydroxypropylalkylcellulose possessing a 9,000 to 450,000 number-average molecular weight. The hydroxypropylalkyl-cellulose is represented by a member selected from the group consisting of hydroxypropylmethylcellulose, hydroxypropylethylcellulose, hydroxypropylisopropyl cellulose, hydroxypropylbutylcellulose, and hydroxypropylpentylcellulose.

The push layer optionally may comprise a non-toxic colorant or dye. Examples of colourants or dyes include but are not limited to Food and Drug Administration Colourants (FD&C), such as FD&C No. 1 blue dye, FD&C No. 4 red dye, red ferric oxide, yellow ferric oxide, titanium dioxide, carbon black, and indigo.

The push layer may also optionally comprise an antioxidant to inhibit the oxidation of ingredients. Some examples of antioxidants include but are not limited to a member selected from the group consisting of ascorbic acid, ascorbyl palmitate, butylated hydroxyanisole, a mixture of 2 and 3 tertiary-butyl-4-hydroxyanisole, butylated hydroxytoluene, sodium isoascorbate, dihydroguaric acid, potassium sorbate, sodium bisulfate, sodium metabisulfate, sorbic acid, potassium ascorbate, vitamin E, 4-chloro-2,6-ditertiary butylphenol, alphatocopherol, and propylgallate.

In certain alternative embodiments, the dosage form comprises a homogenous core comprising oxymorphone hydrochloride having less than 10 ppm of alpha, beta unsaturated ketones, a pharmaceutically acceptable polymer (e.g., polyethylene oxide), optionally a disintegrant (e.g., polyvinylpyrrolidone), optionally an absorption enhancer (e.g., a fatty acid, a surfactant, a chelating agent, a bile salt, etc). The homogenous core is surrounded by a semipermeable wall having a passageway (as defined above) for the release of the oxymorphone hydrochloride having less than 10 ppm of alpha, beta unsaturated ketones.

In certain embodiments, the semipermeable wall comprises a member selected from the group consisting of a cellulose ester polymer, a cellulose ether polymer and a cellulose ester-ether polymer. Representative wall polymers comprise a member selected from the group consisting of cellulose acylate, cellulose diacylate, cellulose triacylate, cellulose acetate, cellulose diacetate, cellulose triacetate, mono-, di- and tricellulose alkenylates, and mono-, di- and tricellulose alkynylates. The poly(cellulose) used for the present invention comprises a number-average molecular weight of 20,000 to 7,500,000.

Additional semipermeable polymers for the purpose of this invention comprise acetaldehyde dimethylcellulose acetate, cellulose acetate ethylcarbamate, cellulose acetate methylcarbamate, cellulose diacetate, propylcarbamate, cellulose acetate diethylaminoacetate; semipermeable polyamide; semipermeable polyurethane; semipermeable sulfonated polystyrene; semipermeable cross-linked polymer formed by the coprecipitation of a polyanion and a polycation, semipermeable crosslinked polystyrenes, semipermeable cross-linked poly(sodium styrene sulfonate), semipermeable crosslinked poly(vinylbenzyltrimethyl ammonium chloride) and semipermeable polymers possessing a fluid permeability of 2.5×10^{-8} to 2.5×10^{-2} ($\text{cm}^2/\text{hr atm}$) expressed per atmosphere of hydrostatic or osmotic pressure difference across the semipermeable wall. Other polymers useful in the present

US 7,851,482 B2

15

invention are known in the art including those in Handbook of Common Polymers, Scott, J. R. and W. J. Roff, 1971, CRC Press, Cleveland, Ohio.

In certain embodiments, preferably the semipermeable wall is nontoxic, inert, and it maintains its physical and chemical integrity during the dispensing life of the drug. In certain embodiments, the dosage form comprises a binder. An example of a binder includes, but is not limited to a therapeutically acceptable vinyl polymer having a 5,000 to 350,000 viscosity-average molecular weight, represented by a member selected from the group consisting of poly-n-vinylamide, poly-n-vinylacetamide, poly(vinyl pyrrolidone), also known as poly-n-vinylpyrrolidone, poly-n-vinylcaprolactone, poly-n-vinyl-5-methyl-2-pyrrolidone, and poly-n-vinyl-pyrrolidone copolymers with a member selected from the group consisting of vinyl acetate, vinyl alcohol, vinyl chloride, vinyl fluoride, vinyl butyrate, vinyl laureate, and vinyl stearate. Other binders include for example, acacia, starch, gelatin, and hydroxypropylalkylcellulose of 9,200 to 250,000 average molecular weight.

In certain embodiments, the dosage form comprises a lubricant, which may be used during the manufacture of the dosage form to prevent sticking to die wall or punch faces. Examples of lubricants include but are not limited to magnesium stearate, sodium stearate, stearic acid, calcium stearate, magnesium oleate, oleic acid, potassium oleate, caprylic acid, sodium stearyl fumarate, and magnesium palmitate.

In certain preferred embodiments, the present invention includes a therapeutic composition comprising an amount of oxymorphone hydrochloride having less than 10 ppm of alpha, beta unsaturated ketones equivalent to 10 to 40 mg oxymorphone hydrochloride, 25 mg to 500 mg of poly(alkylene oxide) having a 150,000 to 500,000 average molecular weight, 1 mg to 50 mg of polyvinylpyrrolidone having a 40,000 average molecular weight, and 0 mg to about 7.5 mg of a lubricant.

Suppositories

The sustained release formulations of the present invention may be formulated as a pharmaceutical suppository for rectal administration comprising a suitable suppository base, and oxymorphone hydrochloride having less than 10 ppm of alpha, beta unsaturated ketones. Preparation of sustained release suppository formulations is described in, e.g., U.S. Pat. No. 5,215,758.

Prior to absorption, the drug must be in solution. In the case of suppositories, solution must be preceded by dissolution of the suppository base, or the melting of the base and subsequent partition of the drug from the suppository base into the rectal fluid. The absorption of the drug into the body may be altered by the suppository base. Thus, the particular suppository base to be used in conjunction with a particular drug must be chosen giving consideration to the physical properties of the drug. For example, lipid-soluble drugs will not partition readily into the rectal fluid, but drugs that are only slightly soluble in the lipid base will partition readily into the rectal fluid.

Among the different factors affecting the dissolution time (or release rate) of the drugs are the surface area of the drug substance presented to the dissolution solvent medium, the pH of the solution, the solubility of the substance in the specific solvent medium, and the driving forces of the saturation concentration of dissolved materials in the solvent medium. Generally, factors affecting the absorption of drugs from suppositories administered rectally include suppository vehicle, absorption site pH, drug pKa, degree of ionisation, and lipid solubility.

16

The suppository base chosen should be compatible with the active of the present invention. Further, the suppository base is preferably non-toxic and non-irritating to mucous membranes, melts or dissolves in rectal fluids, and is stable during storage.

In certain preferred embodiments of the present invention for both water-soluble and water-insoluble drugs, the suppository base comprises a fatty acid wax selected from the group consisting of mono-, di- and triglycerides of saturated, natural fatty acids of the chain length C₁₂ to C₁₈.

In preparing the suppositories of the present invention other excipients may be used. For example, a wax may be used to form the proper shape for administration via the rectal route. This system can also be used without wax, but with the addition of diluent filled in a gelatin capsule for both rectal and oral administration.

Examples of suitable commercially available mono-, di- and triglycerides include saturated natural fatty acids of the 12-18 carbon atom chain sold under the trade name Novata™ (types AB, AB, B, BC, BD, BBC, E, BCF, C, D and 299), manufactured by Henkel, and Witepsol™ (types H5, H12, H15, H175, H185, H19, H32, H35, H39, H42, W25, W31, W35, W45, S55, S58, E75, E76 and E85), manufactured by Dynamit Nobel.

Other pharmaceutically acceptable suppository bases may be substituted in whole or in part for the above-mentioned mono-, di- and triglycerides. The amount of base in the suppository is determined by the size (i.e. actual weight) of the dosage form, the amount of base (e.g., alginate) and drug used. Generally, the amount of suppository base is from about 20% to about 90% by weight of the total weight of the suppository. Preferably, the amount of suppository base in the suppository is from about 65% to about 80%, by weight of the total weight of the suppository.

Additional Embodiments

The oxymorphone hydrochloride having less than 10 ppm of alpha, beta unsaturated ketones may be used as a substitute for the oxymorphone hydrochloride in any existing commercial product such as, e.g., Opana™, Opana ER™ and Numorphan™. Such formulations are listed in the FDA Orange Book.

EXAMPLES

The invention will now be illustrated by the following examples, showing the synthesis of the high purity oxymorphone, starting from oripavine.

FIG. 1 is the Powder X-Ray Diffraction pattern collected for a hydrated oxymorphone hydrochloride product made according to Example 3.2D.

Example 1.1A

Hydroxylation of Oripavine to 14-hydroxymorphinone

1 kg oripavine is added with stirring to a reaction vessel containing 2.76 kg of formic acid and 0.53 kg water, and stirring is continued until the oripavine is completely dissolved, and the temperature remains in the range 20-30° C. Subsequently, 0.36 kg of 35 wt % hydrogen peroxide solution

US 7,851,482 B2

17

is added, and the reaction mixture is stirred for three hours or more, whilst maintaining the temperature in the range 20-35° C. The reaction vessel is cooled to 10° C. and 7.12 litres of dilute ammonium hydroxide is added slowly, whilst maintaining the reaction mixture below 40° C. If necessary, the pH of the reaction mixture is adjusted to the range 8 to 10, with more dilute ammonium hydroxide solution or hydrochloric acid as appropriate, and stirring is continued for 3-5 hours.

A precipitate of product 14-hydroxymorphinone is formed and filtered off. The precipitate is washed with water until colourless and then dried to a damp cake and collected for the next stage.

Example 1.1B

Formation of Oxymorphone Base

A hydrogenation vessel is charged with kg litre water and 0.73 kg acetic acid before adding 1 kg of 14-hydroxymorphinone prepared as in Example 1.1A and the mixture stirred until clear. 40 g of wet 10% Pd on carbon catalyst is added under a stream of nitrogen, and hydrogen supplied at 35-40 psi (2.41-2.76 bar). The temperature is maintained at 30±5° C. until hydrogen uptake stops, then the vessel is maintained at 35-40 psi (2.41-2.76 bar) and 30±5° C. for 3-4 hours. The reaction vessel is cooled to less than 25° C. and a sample subjected to HPLC to check for 14-hydroxymorphinone. If the 14-hydroxymorphinone area detected by HPLC is >0.1%, the hydrogenation is repeated.

Once it is assessed that the reaction is complete, the catalyst is filtered off, the pH of the filtrate is adjusted to pH 9 using ammonium hydroxide solution, the product precipitates and is isolated by filtration and dried under vacuum. The product is dissolved in dichloromethane/methanol (9:1 v/v) and slurried in florisil, filtered, and the filtrate is distilled to exchange to n-propanol. The n-propanol mixture is cooled and the product precipitates and is collected by filtration in 66% yield. A sample of product is tested by HPLC for alpha, beta unsaturated ketones, and is found to contain 0.51% by area measurement.

Example 1.1C

Formation of Highly Pure Oxymorphone Hydrochloride

A reaction vessel is charged with 1 kg of oxymorphone base, prepared as in Example 1.1B, together with 2.05 kg of absolute alcohol and 0.66 kg of water. The mixture is heated to 60±2° C. and stirred to form a slurry. A hydrochloric acid solution prepared from 0.66 kg concentrated hydrochloric acid, 0.24 kg of water and 0.31 kg of absolute alcohol is added to the oxymorphone base slurry and the pH checked to ensure that it is <1.0. 40 g of 10% Pd on carbon catalyst water-wet paste is added under a stream of nitrogen to the reaction mixture and the mixture is hydrogenated at 35±5 psi (2.41 bar) for 20 hours whilst maintaining a temperature of 65±3° C. The reaction mixture is filtered whilst hot through Celite and a 0.2 µm polish filter. The filtrate is cooled to 0-5° C. over 2-3 hours, and stirred for a further 2 hours to form oxymorphone hydrochloride as a precipitate. The precipitate is washed with absolute alcohol then dried. Yield is 80%.

18

A sample of the product is tested by HPLC for the presence of alpha, beta unsaturated ketones, and is found to contain 6.2 ppm.

Example 1.2A

Hydroxylation of Oripavine to 14-hydroxymorphinone

40 g of Oripavine is added with stirring to a reaction vessel containing 30 g of water and 85 g of formic acid, and stirring continued until oripavine is completely dissolved. The temperature remains in the range 20-30° C. Subsequently, 17.72 g of 30 wt % hydrogen peroxide solution is added, and the reaction mixture is stirred for three hours or more, whilst maintaining the temperature in the range 20-35° C. The reaction mixture is cooled to <20° C. and 335 mL of dilute ammonium hydroxide is added slowly, whilst maintaining the reaction mixture below 32° C. If necessary, the pH of the reaction mixture is adjusted to 9.0, with more dilute ammonium hydroxide solution or hydrochloric acid as appropriate, and stirring is continued for 2 hours at 20 C and 2 hours at 4-5° C.

A precipitate of 14-hydroxymorphinone is formed and filtered off. The precipitate is washed with water and then dried to a damp cake and collected for the next stage.

Example 1.2B

Formation of Oxymorphone Base

A hydrogenation vessel is charged with 148 g of water, 90.6 g of acetic acid, and 250 g of damp 14-hydroxymorphinone (48% water content), prepared as in Example 1.2A. The mixture is stirred until clear then 1.34 g of 10% Pd on carbon catalyst (dry weight) in the form of a paste is added under a stream of nitrogen. The hydrogenation vessel is flushed with nitrogen and hydrogen respectively, and then the reaction mixture is hydrogenated at 30° C. and 35 psi (2.41 bar) for 5 hours. An in process test by HPLC indicates an 14-hydroxymorphinone area of 0.07%.

Once it is assessed that the reaction is complete, the catalyst is filtered off through a pad of celite, and the celite cake is washed with 25 mL water. The filtrate is cooled to 0-5° C. and the pH is adjusted to 9.5±0.5 with 1:1 mixture (V/V) of concentrated ammonium hydroxide and water. The precipitate is stirred at 0-5° C. for one hour and isolated by filtration. The crude product is dried in vacuum oven at 50° C. to afford 113 g (86.9% yield) of light beige solid. A sample of product is tested by HPLC for alpha, beta unsaturated ketone, and is found to contain 0.27% by area measurement.

113 g of crude oxymorphone base is taken up in 1.13 L of dichloromethane/methanol (9:1, v/v). 113 g of florisil is added to the solution and the mixture is stirred for 12 hours. The mixture is filtered through a pad of 113 g of florisil, and the florisil cake is rinsed with 120 mL of dichloromethane/methanol. The solvent is removed by distillation and then switched to n-propanol. The batch is cooled to 0-5° C. and stirred for 1 hour to precipitate the oxymorphone base, which is filtered off, washed with cold n-propanol, and dried in a vacuum oven to afford 67.2 g (59.47%) of white solids.

US 7,851,482 B2

19

A sample of product is tested by HPLC for alpha, beta unsaturated ketones, and is found to contain 0.027% by area measurement.

Example 1.2C

Formation of Highly Pure Oxymorphone Hydrochloride

A reaction vessel is charged with 50.1 g of oxymorphone base, prepared as in Example 1.2B, together with 120 g of absolute alcohol. The mixture is heated to 60±2° C. and stirred to form a slurry. A hydrochloric acid solution prepared from 32.7 g concentrated hydrochloric acid and 33.6 g of water is added to the oxymorphone base slurry and the pH is checked to ensure that it is <1.0. 2.0 g of 10% Pd on carbon catalyst water-wet paste is added under a stream of nitrogen to the reaction mixture and the mixture is hydrogenated at 35 psi (2.41 bar) for 20 hours whilst maintaining a temperature of 65° C. The reaction mixture is filtered whilst hot through Celite. The filtrate is cooled to 0-5° C. over 2-3 hours, and stirred for a further 2 hours to form oxymorphone hydrochloride as a precipitate. The precipitate is filtered off, washed with absolute alcohol and then dried to afford white crystals in 77% yield.

A sample of the product is tested by HPLC for the presence of alpha, beta unsaturated ketones, and is found to contain 1.1 ppm.

The above method may be varied by the skilled person whilst still maintaining excellent purity of the product oxymorphone hydrochloride, and examples of such variations follow.

Example 2.1B

Reduction of 14-hydroxymorphinone to Oxymorphone Base

A hydrogenation vessel is charged with 2.5 kg of water and 0.73 kg of acetic acid and 1 kg of 14-hydroxymorphinone is added to the vessel. The reaction mixture is stirred until a clear solution is obtained before 40 g of wet 10% Pd on carbon catalyst is added under a stream of nitrogen. Hydrogen is supplied at 35-40 psi (2.41-2.76 bar). The temperature is maintained at 30±5° C. until hydrogen uptake stops, then the vessel is maintained at 35-40 psi (2.41-2.76 bar) and 30±5° C. for 3-4 hours. The reaction vessel is cooled to less than 25° C. and a sample subjected to HPLC to check for 14-hydroxymorphinone. If the 14-hydroxymorphinone area detected by HPLC is >0.1%, the hydrogenation is repeated.

Once it is assessed that the reaction is complete, the catalyst is filtered off, dichloromethane/methanol (9:1 v/v) is added to the filtrate and the mixture is adjusted to pH 9-10 by adding ammonium hydroxide solution. The dichloromethane/methanol phase is separate, slurried in florisil, filtered, and the filtrate is distilled to exchange to n-propanol. The n-propanol mixture is cooled and the product precipitates and is collected by filtration in 73% yield. A sample of product is tested by HPLC for alpha, beta unsaturated ketones, and is found to contain 0.32% by area.

Example 2.2B

Reduction of 14-hydroxymorphinone to Oxymorphone Base

A hydrogenation vessel is charged with 35 g of water, 17 g of acetic acid and 38.08 g of 14-hydroxymorphinone, pre-

20

pared in Example 1.2A. The reaction mixture is stirred until a clear solution is obtained before 1.8 g of wet 5% Pd on carbon catalyst is added under a stream of nitrogen. Hydrogen is supplied at 35-40 psi (2.41-2.76 bar). The temperature is maintained at 30±5° C. until hydrogen uptake stops, then the vessel is maintained at 35-40 psi (2.41-2.76 bar) and 30±5° C. for 4 hours. The reaction vessel is cooled to less than 25° C., and a sample is analyzed by HPLC to check for 14-hydroxymorphinone. The 14-hydroxymorphinone area detected by HPLC is 0.26%.

Once it is assessed that the reaction is complete, the catalyst is filtered off and the cake is washed with 15 mL of water. 180 mL of dichloromethane/methanol (9:1, v/v) are added to the filtrate and the pH of the mixture is adjusted to pH 9-10 by adding concentrated ammonium hydroxide. The dichloromethane/methanol layer is separated and purified by slurrying with ca. 20 g florisil. The slurry is filtered and the filtrate is distilled to exchange into n-propanol, and the mixture is cooled to 0-5° C. and stirred for 1-2 hours to precipitate oxymorphone base, which is isolated by filtration. The oxymorphone base is then slurried from n-propanol providing product in 74% yield. A sample of product is tested by HPLC for alpha, beta unsaturated ketones, and is found to contain 0.32% by area.

Example 2.2C

Formation of Highly Pure Oxymorphone Hydrochloride

A reaction vessel is charged with 2.5 g of oxymorphone base, prepared as in Example 2.2B, together with 7.5 mL of absolute alcohol, 2.5 g of water and 1.66 g of concentrated hydrochloric acid. The mixture is heated to 50-60° C. and a solution results. The pH is checked to ensure that it is <1.0. 0.111 g of 10% Pd on carbon catalyst water-wet paste is added under a stream of nitrogen to the reaction mixture and the mixture is hydrogenated at 35±5 psi (2.41 bar) for 21 hours whilst maintaining a temperature of 65±3° C. The reaction mixture is filtered whilst hot through a 0.45 µm filter. The filtrate is cooled to 0-5° C. over 2-3 hours, and stirred for a further 2 hours to form oxymorphone hydrochloride as a precipitate. The precipitate is filtered off, washed with cold absolute alcohol and dried under vacuum to afford white crystals in 77% yield.

A sample of the product is tested by HPLC for the presence of alpha, beta unsaturated ketones, and is found to contain 2.8 ppm.

Example 3.1B

Reduction of 14-hydroxymorphinone to Oxymorphone Hydrochloride

The procedure for forming the oxymorphone free base is followed as shown above, but instead of isolating the free base from a dichloromethane/methanol solution, 0.35 volume equivalents of 3N hydrochloric acid are added (vs the volume of the dichloromethane/methanol solution), the reaction mixture is stirred, allowed to stand, and the aqueous layer (contains the product) is separated from the organic layer. The aqueous layer is distilled under vacuum to remove ca. 50% of the volume, and then the remaining solution is cooled over 2 hour to 20-25° C., stirred for 1-2 hours, cooled to 0-5° C. and stirred 2-3 hours. The white solids that form during stirring are filtered off and washed with cold isopropanol. The yield is 64% and the product contains 0.34% of alpha, beta unsaturated ketones.

US 7,851,482 B2

21

Example 3.1C

Purification of Oxymorphone Hydrochloride

Using an analogous process to Example 1.1C, but starting from the product of Example 3.1B, purified oxymorphone hydrochloride is obtained in a yield of 92% and having an undetectable content of alpha, beta unsaturated ketones.

Example 3.2C

Preparation of Highly Pure Oxymorphone Hydrochloride

A reaction vessel is charged with 5.05 g of oxymorphone hydrochloride, prepared in Example 3.1B, together with 13.5 mL of absolute alcohol, 4.5 mL of water and 1.51 g of concentrated hydrochloric acid. The mixture is heated to 50-60° C. and a solution results. The pH is checked to ensure that it is <1.0. 0.21 g of 10% Pd on charcoal catalyst water-wet paste is added under a stream of nitrogen to the reaction mixture and the mixture is hydrogenated at 35±5 psi (2.41 bar) for 20 hours whilst maintaining a temperature of 65±3° C. The reaction mixture is filtered whilst hot through a 0.45 µm filter. The filtrate is cooled to 0-5° C. over 2-3 hours, and stirred for a further 2 hours to form a precipitate. The precipitate is collected by filtration, washed with cold absolute alcohol then dried. Yield is 92%.

A sample of the product is tested by HPLC and found to have an undetectable content of alpha, beta unsaturated ketones.

Without changing the basic process steps, but with small variations in the process steps for starting materials, such as isolation or not of such starting materials, and utilising the essential reduction requirements of the invention for the final step to the purified oxymorphone hydrochloride, other products have been obtained with levels of alpha, beta unsaturated ketones of 3.8 ppm, 1.7 ppm, 6.2 ppm, 6.9 ppm, 2.8 ppm, 3.1 ppm, 0.9 ppm, 6.0 ppm and another undetectable, or zero.

Example 3.2D

Hydration of Oxymorphone Hydrochloride

A drying dish is charged with oxymorphone hydrochloride, prepared as in Example 1.1C, 1.2C, 2.2C, 3.1C or 3.2C, which contains about 5-13 wt % of ethanol. The sample is placed in a vacuum oven along with a dish containing 100 mL of water. A vacuum is applied at 24-29 in Hg and the oven maintained at 20-40° C. for 24 hours. An ethanol-free or low ethanol (approx. 0.04 wt %) product is afforded containing about 10-13 wt % of water. The water absorbed by the sample may be removed in a vacuum oven at 50-55° C. The drying process is stopped when the product's KF is 6-8 wt %. The final hydrated oxymorphone hydrochloride affords a uniform polymorph with a consistent X-ray diffraction pattern.

What is claimed:

1. Oxymorphone hydrochloride having less than 10 ppm, as measured by HPLC, of 14-hydroxymorphanone.

2. Oxymorphone hydrochloride according to claim 1, wherein the content of 14-hydroxymorphanone is less than 5 ppm.

3. A pharmaceutical formulation comprising at least one pharmaceutically acceptable excipient and the oxymorphone hydrochloride according to claim 1.

22

4. A method of treating pain comprising administering a pharmaceutical formulation according to claim 3 to a patient in need thereof.

5. A method of purifying a starting material of either oxymorphone or oxymorphone hydrochloride to yield the oxymorphone hydrochloride according to claim 1, comprising exposing the starting material oxymorphone or oxymorphone hydrochloride to hydrogen under reducing conditions in a strongly acid water and alcohol solvent reaction medium at a temperature in the range from 60 to 70° C. for a time sufficient to provide the less than 10 ppm of 14-hydroxymorphanone.

6. The method according to claim 5, wherein the exposing is carried out for a period of at least 20 hours.

7. The method according to claim 5, wherein the reaction medium has a pH of less than 1.

8. The method according to claim 5, wherein the acid is hydrochloric acid.

9. The method according to claim 5, wherein the temperature is approximately 65° C.

10. The method according to claim 5, wherein the starting material oxymorphone or oxymorphone hydrochloride has not been isolated from a reaction mixture in which it is formed.

11. The method according to claim 5, wherein the starting material oxymorphone or oxymorphone hydrochloride has been prepared by a process comprising reduction of 14-hydroxymorphanone.

12. The method according to claim 11, wherein the 14-hydroxymorphanone that is reduced is prepared by a process of hydroxylating oripavine.

13. The method according to claim 12, wherein the oripavine is derived from concentrated poppy straw.

14. The method according to claim 13, wherein the concentrated poppy straw is derived from a high-Thebaine-yielding strain of poppy.

15. The method according to claim 5, comprising the additional steps of subsequently forming crystalline oxymorphone hydrochloride and removing residual alcohol molecules from within the crystal structure of the crystalline oxymorphone hydrochloride by exposing the crystalline oxymorphone hydrochloride to water vapour, such that the residual alcohol molecules are displaced with water molecules.

16. The method according to claim 15, comprising the additional step of removing some of the water molecules from within the crystal structure of the oxymorphone hydrochloride by exposure to reduced pressure.

17. The method according to claim 15, comprising the additional step of removing some of the water molecules from within the crystal structure of the oxymorphone hydrochloride by heating the oxymorphone hydrochloride to a temperature in the range of from 50 to 55° C. under reduced pressure.

18. A method of making hydrated oxymorphone hydrochloride having less than 10 ppm, as measured by HPLC, of 14-hydroxymorphanone and a KF of 6-8 wt %, comprising exposing a starting material of oxymorphone or oxymorphone hydrochloride to gaseous hydrogen under reducing conditions in a strongly acid water and alcohol solvent reaction medium at a temperature in the range from 60 to 70° C., subsequently forming crystalline oxymorphone hydrochloride, and removing residual alcohol molecules from within the crystal structure of the crystalline oxymorphone hydrochloride by exposing the oxymorphone hydrochloride to water vapour, such that the residual alcohol molecules are displaced with water molecules.

US 7,851,482 B2

23

19. Hydrated oxymorphone hydrochloride having less than 10 ppm, as measured by HPLC, of 14-hydroxymorphinone and having peaks within the following 20 ranges when analyzed by Powder X-Ray Diffraction: 8.5-9.5, 11.0-12.0, 11.5-12.5, 12.4-13.4, 15.2-16.2, 17.6-18.6, 19.3-20.3, 19.9-20.9, 24.6-25.6, 24.9-25.9, 29.0-30.0 and 31.0-32.0. 5

24

20. Oxymorphone hydrochloride prepared by the method of claim **5**.

21. Hydrated oxymorphone hydrochloride prepared by the method of claim **18**.

* * * * *

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 7,851,482 B2
APPLICATION NO. : 11/866840
DATED : December 14, 2010
INVENTOR(S) : Jen-Sen Dung et al.

Page 1 of 1

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

At column 23, line 3, delete “20 ranges” and insert therefor --2 Θ ranges--.

Signed and Sealed this
Nineteenth Day of July, 2011

A handwritten signature in black ink that reads "David J. Kappos". The signature is written in a cursive, flowing style.

David J. Kappos
Director of the United States Patent and Trademark Office

EXHIBIT B

US008309122B2

(12) **United States Patent**
Kao et al.

(10) **Patent No.:** **US 8,309,122 B2**
(45) **Date of Patent:** ***Nov. 13, 2012**

(54) **OXYMORPHONE CONTROLLED RELEASE FORMULATIONS**

(58) **Field of Classification Search** None
See application file for complete search history.

(75) Inventors: **Huai-Hung Kao**, Syosset, NY (US);
Anand R. Baichwal, Wappingers Falls,
NY (US); **Troy McCall**, Smyrna, GA
(US); **David Lee**, Chadds Ford, PA (US)

(56) **References Cited**

U.S. PATENT DOCUMENTS

2,806,033	A	9/1957	Lewenstein et al.
3,393,197	A	7/1968	Pachter et al.
3,845,770	A	11/1974	Theeuwes et al.
3,879,555	A	4/1975	Pachter et al.
3,966,940	A	6/1976	Pachter et al.
3,980,766	A	9/1976	Shaw et al.
4,070,494	A	1/1978	Hoffmeister et al.
4,366,159	A	12/1982	Magruder
4,457,933	A	7/1984	Gordon et al.
4,464,376	A	8/1984	Sunshine et al.
4,479,956	A	10/1984	Sunshine et al.

(Continued)

FOREIGN PATENT DOCUMENTS

CA 2314896 A1 7/1999
(Continued)

OTHER PUBLICATIONS

Ansel et al. Pharmaceutical dosage forms and drug delivery systems.
1999, 7th edition, p. 121-122.*

(Continued)

Primary Examiner — Lakshmi Channavajjala

(74) *Attorney, Agent, or Firm* — Mayer Brown LLP

(57) **ABSTRACT**

The invention pertains to a method of relieving pain by administering a controlled release pharmaceutical tablet containing oxymorphone which produces a mean minimum blood plasma level 12 to 24 hours after dosing, as well as the tablet producing the sustained pain relief.

20 Claims, 10 Drawing Sheets

(21) Appl. No.: **11/680,432**

(22) Filed: **Feb. 28, 2007**

(65) **Prior Publication Data**

US 2007/0134328 A1 Jun. 14, 2007

Related U.S. Application Data

(63) Continuation of application No. 10/190,192, filed on Jul. 3, 2002.

(60) Provisional application No. 60/303,357, filed on Jul. 6, 2001, provisional application No. 60/329,432, filed on Oct. 15, 2001, provisional application No. 60/329,444, filed on Oct. 15, 2001, provisional application No. 60/329,445, filed on Oct. 15, 2001.

(51) **Int. Cl.**

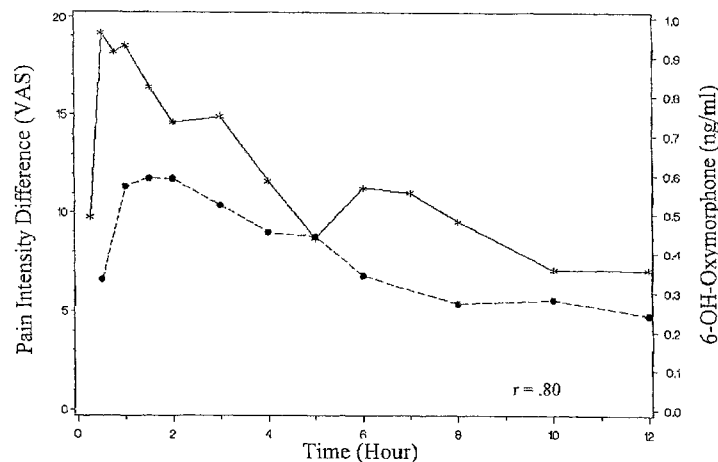
A61K 9/22 (2006.01)

A61K 9/34 (2006.01)

A61K 9/36 (2006.01)

(52) **U.S. Cl.** **424/464**; 424/468; 424/470; 424/479;
424/481; 424/482; 424/486

PK Profile for 6-OH-Oxymorphone with PID Scores



* Pain Intensity Difference • 6-OH-Oxymorphone Plasma Concentrations

US 8,309,122 B2

Page 2

U.S. PATENT DOCUMENTS

4,486,436 A	12/1984	Sunshine et al.	6,387,394 B1	5/2002	Baichwal et al.
4,558,051 A	12/1985	Sunshine et al.	6,391,336 B1	5/2002	Royer
4,567,183 A	1/1986	Sunshine et al.	6,413,494 B1	7/2002	Lee et al.
4,569,937 A *	2/1986	Baker et al. 514/282	6,432,438 B1	8/2002	Shukla
4,582,835 A	4/1986	Lewis et al.	6,475,494 B2	11/2002	Kaiko et al.
4,587,249 A	5/1986	Sunshine et al.	6,495,155 B1	12/2002	Tice et al.
4,599,114 A	7/1986	Atkinson	6,506,730 B1	1/2003	Lee et al.
4,656,177 A	4/1987	Sunshine et al.	6,514,531 B1	2/2003	Alaux et al.
4,661,492 A	4/1987	Lewis et al.	6,555,127 B2	4/2003	Steiner
4,711,782 A	12/1987	Okada et al.	6,627,635 B2	9/2003	Palermo et al.
4,777,174 A	10/1988	Sunshine et al.	6,696,088 B2	2/2004	Oshlack et al.
4,844,907 A	7/1989	Elger et al.	6,716,449 B2	4/2004	Oshlack et al.
4,844,909 A	7/1989	Goldie et al.	6,806,294 B2	10/2004	Wimmer et al.
4,861,598 A	8/1989	Oshlack	7,276,250 B2	10/2007	Baichwal et al.
4,935,428 A	6/1990	Lewis et al.	2001/0008639 A1	7/2001	Oshlack et al.
4,980,170 A	12/1990	Schneider et al.	2002/0010127 A1	1/2002	Oshlack et al.
4,994,276 A	2/1991	Baichwal et al.	2002/0032581 A1	3/2002	Reitburg
5,047,248 A *	9/1991	Calanchi et al. 424/485	2002/0044966 A1	4/2002	Bartholomaeus et al.
5,128,143 A	7/1992	Baichwal et al.	2002/0058673 A1	5/2002	Kaiko et al.
5,135,757 A	8/1992	Baichwal et al.	2002/0081333 A1	6/2002	Oshlack et al.
5,164,193 A	11/1992	Okada et al.	2002/0090345 A1	7/2002	Baichwal et al.
5,202,128 A	4/1993	Morella et al.	2002/0164373 A1	11/2002	Maloney
5,236,714 A	8/1993	Lee et al.	2002/0187192 A1	12/2002	Joshi et al.
5,266,331 A	11/1993	Oshlack et al.	2003/0004177 A1	1/2003	Kao et al.
5,330,761 A	7/1994	Baichwal	2003/0031712 A1	2/2003	Kaiko et al.
5,399,359 A	3/1995	Baichwal et al.	2003/0044458 A1	3/2003	Wright, IV et al.
5,399,362 A	3/1995	Baichwal et al.	2003/0049272 A1	3/2003	Joshi et al.
5,415,871 A	5/1995	Pankhania et al.	2003/0059397 A1	3/2003	Hughes
5,431,922 A	7/1995	Nicklasson	2003/0064099 A1	4/2003	Oshlack et al.
5,455,046 A	10/1995	Baichwal	2003/0064122 A1	4/2003	Goldberg et al.
5,470,584 A	11/1995	Hendrickson et al.	2003/0065002 A1	4/2003	Caruso et al.
5,478,577 A	12/1995	Sackler et al.	2003/0068276 A1	4/2003	Hughes et al.
5,512,297 A	4/1996	Baichwal	2003/0068370 A1	4/2003	Sackler
5,512,578 A	4/1996	Crain et al.	2003/0068371 A1	4/2003	Oshlack et al.
5,554,387 A	9/1996	Baichwal	2003/0068375 A1	4/2003	Wright et al.
5,567,754 A	10/1996	Stramel	2003/0068392 A1	4/2003	Sackler
5,580,578 A	12/1996	Oshlack et al.	2003/0069263 A1	4/2003	Breder et al.
5,612,053 A	3/1997	Baichwal et al.	2003/0073714 A1	4/2003	Breder et al.
5,629,011 A	5/1997	Illum	2003/0091635 A1	5/2003	Baichwal et al.
5,633,000 A	5/1997	Grossman et al.	2003/0124061 A1	7/2003	Roberts
5,639,476 A	6/1997	Oshlack et al.	2003/0124185 A1	7/2003	Oshlack et al.
5,662,933 A	9/1997	Baichwal et al.	2003/0125347 A1	7/2003	Anderson et al.
5,672,360 A	9/1997	Sackler et al.	2003/0129230 A1	7/2003	Baichwal et al.
5,738,865 A	4/1998	Baichwal et al.	2003/0129234 A1	7/2003	Baichwal et al.
5,858,388 A	1/1999	Grossman et al.	2003/0143269 A1	7/2003	Oshlack et al.
5,891,474 A	4/1999	Busetti et al.	2003/0147975 A1	8/2003	Joshi et al.
5,914,131 A	6/1999	Merrill et al.	2003/0152638 A1	8/2003	Tice et al.
5,948,438 A	9/1999	Staniforth et al.	2003/0157167 A1	8/2003	Kao et al.
5,958,452 A	9/1999	Oshlack et al.	2003/0157168 A1	8/2003	Breder et al.
5,958,456 A	9/1999	Baichwal et al.	2003/0158264 A1	8/2003	Radhakrishnan et al.
5,958,458 A	9/1999	Norling et al.	2003/0163099 A1	8/2003	Wermeling et al.
5,958,459 A	9/1999	Chasin et al.	2003/0170181 A1	9/2003	Midha
5,965,161 A	10/1999	Oshlack et al.	2003/0190362 A1	10/2003	Sackler et al.
5,965,163 A	10/1999	Miller et al.	2007/0098792 A1	5/2007	Kao et al.
5,968,551 A	10/1999	Oshlack et al.	2007/0098793 A1	5/2007	Kao et al.
RE36,547 E	2/2000	Crain et al.	2007/0098794 A1	5/2007	Kao et al.
6,039,980 A	3/2000	Baichwal et al.	2007/0134328 A1	6/2007	Kao et al.
6,093,420 A *	7/2000	Baichwal 424/468	2007/0140975 A1	6/2007	Baichwal et al.
6,103,258 A	8/2000	Simon	2008/0050431 A1	2/2008	Baichwal et al.
6,103,261 A	8/2000	Chasin et al.	2008/0085303 A1	4/2008	Baichwal et al.
6,129,933 A	10/2000	Oshlack et al.	2008/0085304 A1	4/2008	Baichwal et al.
6,143,322 A	11/2000	Sackler et al.	2008/0085305 A1	4/2008	Baichwal et al.
6,143,325 A	11/2000	Dennis et al.	2008/0119501 A1	5/2008	Hein et al.
6,166,211 A	12/2000	Cain et al.	2008/0262013 A1	10/2008	Kao et al.
6,228,398 B1	5/2001	Devane et al.	2008/0318993 A1	12/2008	Ahdieh
6,228,863 B1	5/2001	Palermo et al.	2008/0318994 A1	12/2008	Ahdieh
6,245,351 B1	6/2001	Nara et al.			
6,245,357 B1	6/2001	Edgren et al.			
6,248,789 B1	6/2001	Weg			
6,261,599 B1	7/2001	Oshlack et al.			
6,277,384 B1	8/2001	Kaiko et al.			
6,294,195 B1	9/2001	Oshlack et al.			
6,296,842 B1	10/2001	Jaworowicz et al.			
6,306,425 B1	10/2001	Tice et al.			
6,309,668 B1	10/2001	Bastin et al.			
6,316,031 B1	11/2001	Oshlack et al.			
6,340,475 B2	1/2002	Shell et al.			
6,375,957 B1	4/2002	Kaiko et al.			

FOREIGN PATENT DOCUMENTS

CA	2369302 A1	10/2000
DE	1 517 480 A1	7/1978
EP	0 253 104 A1	1/1988
EP	319243 A1	6/1989
EP	360562 B2	3/1990
EP	441833 B1	9/1993
EP	0636366 A2	2/1995
EP	751766 A1	1/1997
EP	0 793 959 A1	9/1997
EP	742711 B1	3/1999
EP	1293195 A1	3/2003

US 8,309,122 B2

Page 3

EP	1293209	A1	3/2003
JP	2003113074	A	4/2003
NZ	0505192		7/1999
WO	80/00841	A1	5/1980
WO	84/00488	A1	2/1984
WO	84/00490	A1	2/1984
WO	85/02540	A1	6/1985
WO	85/02542	A1	6/1985
WO	91/07950	A1	6/1991
WO	WO-93/17673	A1	9/1993
WO	95/20947	A1	8/1995
WO	95/22965	A2	8/1995
WO	96/00047	A1	1/1996
WO	96/02251	A1	2/1996
WO	96/04007	A1	5/1996
WO	96/20927	A1	7/1996
WO	97/07750	A1	3/1997
WO	97/16172	A1	5/1997
WO	WO-98/00143	A1	1/1998
WO	WO-99/01111	A1	1/1999
WO	99/32119	A1	7/1999
WO	99/32120	A1	7/1999
WO	00/01377	A2	1/2000
WO	00/21520	A3	4/2000
WO	00/33835	A1	6/2000
WO	00/38649	A1	7/2000
WO	00/61147	A1	10/2000
WO	01/00181	A2	1/2001
WO	01/12230	A1	2/2001
WO	WO-01/08661	A2	2/2001
WO	01/15699	A1	3/2001
WO	WO-01/32148	A1	5/2001
WO	01/52813	A1	7/2001
WO	01/58447	A1	8/2001
WO	01/58451	A1	8/2001
WO	02/05647	A1	1/2002
WO	02/13886	A2	2/2002
WO	02/087558	A1	11/2002
WO	02/092059	A1	11/2002
WO	02/092060	A1	11/2002
WO	02/094172	A2	11/2002
WO	02/094254	A2	11/2002
WO	03/004029	A1	1/2003
WO	03/004030	A1	1/2003
WO	03/007802	A2	1/2003
WO	03/013433	A2	2/2003
WO	03/013476	A1	2/2003
WO	03/013479	A1	2/2003
WO	03/013525	A1	2/2003
WO	03/015531	A2	2/2003
WO	WO-03/013538	A1	2/2003
WO	03/026743	A2	4/2003
WO	03/039561	A1	5/2003
WO	03/072106	A2	9/2003
WO	2006/094083	A1	9/2006
WO	2007/053698	A2	5/2007
WO	2007/078895	A2	7/2007

OTHER PUBLICATIONS

Extended Release Oral Dosage Forms: Development, Evaluation, and Application of In Vitro/In Vivo Correlations. Sep. 1997. total No. of pp. 27.*

Hinz et al., Bioavailability of diclofenac potassium at low doses, 59 British Journal of Clinical Pharmacology No. 1, pp. 80-84, 2005.

Cone, Edward J., "General procedure for the isolation and identification of 6- α - and 6- β -hydroxymetabolites of narcotic agonists and antagonists with a hydromorphone structure" J. Chromatogr. vol. 129, pp. 355-361 (1976).

Cone, Edward J., "Oxymorphone metabolism and urinary excretion in human, rat, guinea pig, rabbit, and dog" Drug Metabolism and Disposition vol. 11(5), pp. 446-450 (1983).

Cass, Use of Oral Analgesic for Severe Pain, Western Medicine, p. 107-108, 120 (Mar. 1961).

Numorphan Oral Advertisement, British Journal of Anaesthesia, vol. 34, No. 8 (Aug. 1962).

News of Products and Services, Products for Dispensing: Numorphan oral, The Pharmaceutical Journal (Jul. 7, 1962).

Sargent et al., Hydroxylated Codeine Derivatives, J. Org. Chem., vol. 23 at 1247 (Sep. 1958).

Weiss, Derivatives of Morphine. IV. 14-Hydroxymorphine and 14-Hydroxydihydromorphine, J. Med. Chem., vol. 8 at 123 (Jan. 1965).

U.S. Appl. No. 12/426,112, Kao et al.

U.S. Appl. No. 11/766,748, Ahdieh.

U.S. Appl. No. 11/742,956, GerritsenvanderHoop.

U.S. Appl. No. 12/203,758, Ahdieh.

Abbott Laboratories, Package Insert for VICODIN®, Mar. 2007.

Adams & Ahdieh, "Single- and Multiple-Dose Pharmacokinetic and Dose-Proportionality Study of Oxymorphone Immediate Release Tablets." Drugs R D, vol. 6(2), pp. 91-99 (2005).

Adams & Ahdieh, "Single- and Multiple-Dose Pharmacokinetic and Dose-Proportionality Study of Oxymorphone Immediate Release Tablets." Amer. Pharmacists Assoc., Mar. 2004, Poster Presentation.

Adams et al., "Oxymorphone Extended Release Does Not Affect CYP2C9 or CYP3A4 Metabolic Pathways." J Clinical Pharmacology, vol. 45, pp. 337-345 (2005).

Adams et al., "Oxymorphone Extended Release Does Not Affect CYP2C9 or CYP3A4 Metabolic Pathways." Amer. Acad. Pain Management Mar. 2004, Poster Presentation.

Adams et al., "A New Oral Opioid, Oxymorphone Extended Release, Does Not Affect Human Metabolic Enzymes CYP2C9 or CYP3A4." Amer. Pharmacists Assoc., Mar. 2004, Poster Presentation.

Adams & Ahdieh, "Pharmacokinetics and dose-proportionality of oxymorphone extended release and its metabolites: Results of a randomized crossover study." Pharmacotherapy, vol. 24(4), pp. 468-476 (2004).

Adams & Ahdieh, "Pharmacokinetic Analyses of New Formulations of Extended- and Immediate-Release Oxymorphone." Amer. Acad. Pain Management Mar. 2004, Poster Presentation.

Ahdieh et al., "Oxymorphone Extended Release Provides Safe and Effective Analgesia for Cancer Patients: A Randomized, Double-Blind, Crossover Study with Oxycodone Controlled Release." Amer. Pharmacists Assoc., Mar. 2004, Poster Presentation.

Ahdieh et al., "Efficacy of Oxymorphone extended release in post-surgical pain: A randomized clinical trial in knee arthroplasty." J. Clinical Pharmacology, vol. 44, pp. 767-776 (2004).

Ansel H.C. et al., *Pharmaceutical Dosage Forms and Drug Delivery Systems*, pp. 121-122, (7th Ed.) (1999).

Baichwal et al., "Gamma Scintigraphy Imaging and Pharmacokinetic Analysis of Extended-Release TIMERx Technology." Amer. Physiological Soc., May 2004, Poster Presentation.

Beaver, et al., "Comparisons of the Analgesic Effects of Oral and Intramuscular Oxymorphone and of Intramuscular Oxymorphone and Morphine in Patients with Cancer." J Clinical Pharmacology, vol. 17(4), pp. 186-198 (1977).

Cass et al., "The Control of Severe Pain with Oral Oxymorphone Hydrochloride." Current Therapeutic Research, vol. 5(11) pp. 579-586 (1963).

Cephalon, Package Insert for ACTIQ®, 2007.

Chiao et al., Sustained-Released Drug Delivery Systems, Chapter 94, Remington, 1995.

Cisternas et al., "Management of Chronic Pain With Long-Acting Opioids May Contribute to the Stabilization of Total Healthcare Costs: Results of a Retrospective Claims Database Pharmacoeconomic Study." Amer. Soc. Health-System Pharmacists, Dec. 2004, Poster Presentation.

Cone, "General procedure for the isolation and identification of 6- α - and 6- β -hydroxymetabolites of narcotic agonists and antagonists with a hydromorphone structure." J. of Chromatogr., vol. 129, pp. 355-361 (1976).

Cone et al., "Oxymorphone metabolism and urinary excretion in human, rat, guinea pig, rabbit, and dog." Drug Metabolism and Disposition, vol. 11(5), pp. 446-450 (1983).

Dhopeshwarkar et al., "Evaluation of Xanthan Gum in the Preparation of Sustained Release Matrix Tablets." Drug Development & Industrial Pharmacy, vol. 19(9), pp. 999-1017 (1993).

Drakontides, "Drugs to Treat Pain." Amer. J Nursing, vol. 74(3), pp. 508-513 (Mar. 1974).

Eames et al., "Clinical Trial of Oxymorphone in Labour." Brit. Med. J., vol. 2, pp. 353-355 (1964).

US 8,309,122 B2

Page 4

- Eddy & Lee, "The analgesic equivalence to morphine and relative side action liability of oxymorphone (4-Hydroxydihydromorphinone)." *J Pharmacology and Experimental Therapeutics*, vol. 125(2), pp. 116-121 (1959).
- Endo Pharmaceuticals, Package Insert for NUMORPHAN®, Apr. 2004.
- Endo Pharmaceuticals, Package Insert for OPANA® (Jul. 2006).
- Endo Pharmaceuticals, Package Insert for PERCOCET®, Nov. 2006.
- Endo Pharmaceuticals, Package Insert for ZYDONE®, Jun. 2003.
- Gabrail et al., "Oxymorphone Extended Release Provides Safe and Effective Analgesia During Opioid Rotation: Results of Randomized, Double-Blind, Crossover, Comparative Study with Oxycodone Controlled Release." *Amer. Acad. Pain Management*, Mar. 2004, Poster Presentation.
- Gabrail et al., "Establishing the dosage equivalency of oxymorphone extended release and oxycodone controlled release in patients with cancer pain: A randomized controlled study." *Current Medical Research Opin.*, vol. 20(6), pp. 911-918 (2004).
- Galer et al., "Safety of New Oral Formulations of the Opioid Oxymorphone." *Int'l Assoc. for the Study of Pain*, May 2004, Poster Presentation.
- Gallagher et al., "Assessment of dosing frequency of sustained-release opioid preparations in patients with chronic nonmalignant pain." *Pain Medicine*, vol. 8(1), pp. 71-74 (2004).
- Gibofsky & Barkin, "Chronic Pain of Osteoarthritis: Considerations for Selecting an Extended Release Opioid Analgesic." *Amer. J Therapeutics*, vol. 15, pp. 241-255 (2008).
- Gimbel & Adams, "Oxymorphone Immediate Release for Postsurgical Pain: Translating Pharmacokinetic Drug Properties Into Clinical Efficacy." *Amer. Cancer Soc. (Abstract)*.
- Gimbel & Ahdieh, "The Efficacy and Safety of Oral Immediate-Release Oxymorphone for Postsurgical Pain." *Anesth. Analg.*, vol. 99, pp. 1472-1477 (2004).
- Gimbel & Walker, "A Randomized Double-Blind Trial of Low-Dose Oxymorphone Immediate Release (5 mg) for Mild to Moderate Pain in Ambulatory Patients." *Amer. Physiological Soc.*, May 2004, Poster Presentation.
- Gimbel et al., "Analgesic Efficacy of Oxymorphone Immediate Release in Postsurgical Orthopedic Pain: Results of a Randomized, Double-Blind, Placebo-Controlled, Dose-Ranging Comparison with Oxycodone." *Amer. Pharmacists Assoc.*, Mar. 2004, Poster Presentation.
- Gimbel et al., "Low-Dose Oxymorphone Immediate Release (5mg) for Mild to Moderate Pain Following Arthroscopic Knee Surgery in Ambulatory Patients: A Randomized Double-Blind Trial." *Amer. Acad. Nurse Practitioners*, Jun.-Jul. 2004, Poster Presentation.
- Gimbel et al., "Efficacy and safety of oxymorphone immediate release for the treatment of mild to moderate pain after ambulatory orthopedic surgery: results of a randomized, double-blind, placebo-controlled trial." *Archives of Physical Medicine Rehabilitation*, vol. 86(12), pp. 2284-2289 (2005).
- Gould et al., "Retrospective and Prospective Analyses of Oxymorphone Extended Release for Neuropathic Pain." *Neuropathic Pain*, Nov. 2004 (Abstract).
- Gould et al., "Effective Titration With Oxymorphone Extended Release in Opioid-Naïve Patients with Low Back Pain." *Amer. Acad. Pain Management*, Feb. 2005 (Abstract).
- Gould et al., "Effective long-term management of opioid-naïve patients with oxymorphone extended release." *Amer. Physiologic Soc.*, Mar. 2005 (Abstract).
- Gould et al., "Oxymorphone extended release for effective long-term treatment of elderly opioid-naïve patients with moderate to severe nonmalignant pain." *Amer. Physiologic Soc.*, Mar. 2005, (Abstract).
- Gould & Ahdieh, "Case Studies of Opioid Treatments for Neuropathic Pain." *Neuropathic Pain*, Nov. 2004 (Abstract).
- Hale & Drass, "Safety, Tolerability, and Effectiveness of Oxymorphone Extended Release in Opioid-Naïve Patients: An Interim Analysis." *Amer. Orthopedic Assoc.*, Nov. 2004, Poster Presentation.
- Hale et al., "Long-Term Safety and Efficacy of Oxymorphone Extended Release in Opioid-Naïve Patients with Chronic Pain." *Amer. Acad. Pain Management*, Mar. 2004, Poster Presentation.
- Hale et al., "Efficacy and safety of oxymorphone extended release in chronic low back pain: results of a randomized, double-blind, placebo- and active-controlled phase III study." *J Pain*, vol. 6(1), pp. 21-28 (2005).
- Hale et al., "Open-Label Long-Term Assessment of Tolerability, Safety, and Effectiveness of Oxymorphone Extended Release for Low Back Pain." *Amer. Acad. Pain Management*, Mar. 2004, Poster Presentation.
- Hale et al., "Tolerability and Effectiveness of Oxymorphone Extended Release in Opioid-Naïve Patients with Chronic Pain." *Amer. Pharmacists Assoc.*, Mar. 2004, Poster Presentation.
- Hale et al., "Low-Dose Titration of Oxymorphone Extended Release in Opioid-Naïve Patients With Chronic Pain: Short- and Long-Term Results." *Amer. Acad. of Physical Medicine and Rehabilitation*, Oct. 2004, Poster Presentation.
- Hinz et al., "Bioavailability of diclofenac potassium at low doses", *British Journal of Clinical Pharmacology*, vol. 59, No. 1, pp. 80-84 (2005).
- International Search Report issued in PCT/US02/21403, mailed Oct. 31, 2002.
- International Search Report issued in PCT/US02/21396, mailed Nov. 6, 2002.
- International Search Report issued in PCT/US02/21398, mailed Nov. 6, 2002.
- International Search Report issued in PCT/US02/21400, mailed Oct. 31, 2002.
- International Search Report issued in PCT/US02/21354, mailed Nov. 6, 2002.
- Kafka et al., "Effective Titration With Oxymorphone Extended Release for Opioid-Naïve Osteoarthritis Patients with Moderate to Severe Pain." *Amer. Acad. Pain Management*, Feb. 2005 (Abstract).
- King Pharmaceuticals, Package Insert for AVINZA®, Oct. 2006.
- Kivitz et al., "A 2-week, multicenter, randomized, double-blind, placebo-controlled, dose-ranging, phase III trial comparing the efficacy of oxymorphone extended release and placebo in adults with pain associated with osteoarthritis of the hip or knee." *Clinical Therapeutics*, vol. 28(3), pp. 352-364 (2006).
- Loan et al., "Studies of drugs given before anaesthesia, XVII: The natural and semi-synthetic opiates." *Brit. J. Anaesth.*, vol. 41, pp. 57-63 (1969).
- Matsumoto et al., "Oxymorphone extended-release tablets relieve moderate to severe pain and improve physical function in osteoarthritis: Results of randomized, double-blind, placebo- and active-controlled phase III trial." *Pain Medicine*, vol. 6(5), pp. 357-366 (2005).
- McIlwain, "Safety and Tolerability of Oxymorphone Extended Release During Long-Term Treatment of Moderate to Severe Pain From Osteoarthritis." *ASCP*, Nov. 2004, Poster Presentation.
- McIlwain, "Safety and Effectiveness of Oxymorphone Extended Release During Long-Term Treatment of Moderate to Severe Pain from Osteoarthritis: One-Year Results." *Amer. Osteopathic Assoc.*, Nov. 2004, Poster Presentation.
- McIlwain et al., "Oxymorphone Extended Release Maintains Effectiveness and Is Well Tolerated During Long-Term Treatment of Moderate to Severe Osteoarthritis Pain." *Amer. Acad. Pain Management*, Mar. 2004, Poster Presentation.
- McIlwain & Ahdieh, "Long-Term Effectiveness and Safety of a New Oral Opioid, Oxymorphone Extended Release, for Moderate to Severe Osteoarthritis Pain." *Amer. Pharmacists Assoc.*, Mar. 2004, Poster Presentation.
- McIlwain & Ahdieh, "Safety, Tolerability, and Effectiveness of Oxymorphone Extended release for moderate to severe osteoarthritis pain: a one-year study." *Amer. J Therapeutics*, vol. 11(5), pp. 1-7 (2004).
- Ossipov & Porreca, "Challenges in the Development of Novel Treatment Strategies for Neuropathic Pain." *J. Amer. Society for Experimental NeuroTherapeutics*, vol. 2, pp. 650-661 (2005).
- Pformulate: <http://www.pformulate.com/disintegr.html> (published on May 5, 2000).
- Pieniaszek et al., "Oxymorphone Does Not Affect CYP450 Enzymes 2C9 or 3A4: Positive Implications for Pain Management." *Amer. Physiological Soc.*, May 2004, Poster Presentation.

US 8,309,122 B2

Page 5

- Pieniaszek et al., "Oxymorphone Exhibits a Low Potential for Drug Interactions Through CYP450 Isozyme 3A4: In Vitro and Clinical Studies." Amer. Acad. Physical Medicine and Rehabilitation, Oct. 2004 (Abstract).
- Plummer et al., "Influence of polarity on dose-response relationships of intrathecal opioids in rats." Pain, vol. 40, pp. 339-347 (1989).
- Prager & Rauck, "Oxymorphone Extended Release for Moderate to Severe Neuropathic Pain: Open-Label, Long-Term Study of Safety and Effectiveness." Amer. Physiological Soc., May 2004, Poster Presentation.
- Purdue Pharma L.P., Package Insert for MS CONTIN®, 2007.
- Rauck, "Oxymorphone Extended Release for Moderate to Severe Neuropathic Pain." ASCP, Nov. 2004, Poster Presentation.
- Rhiner et al., "Long-Term Safety, Effectiveness, and Dose Stabilization of Oxymorphone Extended Release in Cancer Pain." Amer. Acad. Nurse Practitioners, Jun. 2004, Poster Presentation.
- Rowland & Tozer, *Clinical Pharmacokinetics: Concepts and Applications*, pp. 152-160, 392-393 (2d ed. 1989).
- Shuey et al., "Reproductive and Developmental Toxicity Studies with Oxymorphone: A Potent Opioid Analgesic." Teratology Soc., Jun. 2004, Poster Presentation.
- Slatkin et al., "Oxymorphone Maintains Effectiveness and Is Well Tolerated During Long-Term Treatment of Moderate to Severe Cancer Pain." Amer. Acad. Pain Management, Mar. 2004, Poster Presentation.
- Slatkin et al., "Long-Term Effectiveness and Safety of a New Oral Opioid, Oxymorphone Extended Release, for Moderate to Severe Cancer Pain." Amer. Pharmacists Assoc., Mar. 2004, Poster Presentation.
- Slatkin et al., "Case Studies of Cancer Patients with Neuropathic Pain Treated with Oxymorphone." Int'l Assoc. for the Study of Pain, May 2004, Poster Presentation.
- Slatkin et al., "Long-Term Treatment of Moderate to Severe Cancer Pain: A 2-Year Study." Amer. Physiological Soc., May 2004, Poster Presentation.
- Slatkin et al., "Effectiveness, safety, and tolerability of oxymorphone extended release for moderate to severe cancer pain." Amer. Soc. Clinical Oncology, Jun. 2004 (Abstract).
- Sloan et al., "Effectiveness and safety of oral extended-release oxymorphone for the treatment of cancer pain: a pilot study." Supportive Care Cancer, vol. 13(1), pp. 57-65 (2005).
- Swerdlow & Brown, "Numorphan: A new supplement to anaesthesia." Brit. J. Anaesth., vol. 33, pp. 126-129 (1961).
- Tark et al., "Safety, Tolerability, and Effectiveness of Oxymorphone Extended Release During Long-Term Treatment of Cancer Pain: Results of a 12-month Open-Label Study." Multi-National Assoc. Supportive Cancer Care, Jun. 2004, Poster Presentation.
- Vashi et al., "Oral and I.V. oxymorphone clinical pharmacokinetics compared to those of oral oxycodone pharmacokinetics." ASHP Mid-year Clinical Meeting, vol. 39, pp. P435E (2004) (abstract of meeting presentation).
- Walker et al., "A Randomized Double-Blind Trial of Low-Dose Oxymorphone Immediate Release (5 mg) for Mild to Moderate Pain in Ambulatory Patients." Amer. Pharmacists Assoc., Mar. 2004, Poster Presentation.
- White et al., "Application of Propensity Scores to Claims Data: Correcting Biases in Drug-Prescribing Patterns of Long-Acting Opioids." Amer. Soc. Health-System Pharmacists, Dec. 2004, Poster Presentation.
- White et al., "Improved quality of life during long-term treatment of moderate to severe pain with oxymorphone ER." Amer. Physiologic Soc., Mar. 2005 (Abstract).
- White, "Comment: therapy switching in patients receiving long-acting opioids." Annals of Pharmacotherapy, vol. 38(10), pp. 1752-1752 (2004).
- Zeller et al., "Acute Pain Treatment." JAMA vol. 299(1) (2008).
- McConville et al., "Use of a Novel Modified TSI for the Evaluation of Controlled-Release Aerosol Formulations. I", Drug Dev Ind Pharmacy, vol. 26, No. 11, pp. 1191-1198 (2000).
- Complaint, *Endo Pharmaceuticals, Inc. and Penwest Pharmaceuticals Inc. v. Impax Laboratories, Inc.*, Docket No. 1:07cv731, entered Nov. 16, 2007.
- Answer to Complaint and Counterclaim filed by Impax Laboratories, Inc., Docket No. 1:07cv731, Entered Dec. 20, 2007.
- Answer to Counterclaim by Endo Pharmaceuticals Inc. and Penwest Pharmaceuticals Co., Docket No. 1:07cv731, entered Jan. 14, 2008.
- Complaint, *Endo Pharmaceuticals, Inc. and Penwest Pharmaceuticals, Inc. v. Impax Laboratories, Inc.*, Docket No. 1:08-CV-00057-UNA filed Jan. 25, 2008.
- Complaint, *Endo Pharmaceuticals Inc. and Penwest Pharmaceuticals Co. v. Actavis South Atlantic LLC*, Docket No. 2:08-cv-01563-KSH-PS, United States District Court, District of New Jersey, filed Mar. 28, 2008.
- International Search Report for PCT/US2007/005560, Sep. 17, 2007.
- United States Patent and Trademark Office, Before the Board of Appeals and Interference, "Decision on Appeal, Appeal No. 2005-0416, U.S. Appl. No. 09/970,020." Apr. 28, 2005.
- Staniforth and Baichwal, "Synergistically Interacting Heterodisperse Polysaccharides—Function in Achieving Controllable Drug Delivery." American Chemical Society, pp. 327-350 (1993).
- Mandema et al., "Characterization and validation of a pharmacokinetic model for controlled-release oxycodone." British J Clinical Pharmacology, vol. 42(6), pp. 747-756 (1996).
- Benzinger et al., "A Pharmacokinetic/Pharmacodynamic Study of Controlled-Release Oxycodone." J Pain and Symptom Management, vol. 13(2), pp. 75-82 (1997).
- Sathyan et al., "Pharmacokinetic profile of a 24-hour controlled-release OROS® formulation of hydromorphone in the presence and absence of food." BMC Clinical Pharmacology, vol. 7(2) (2007).
- Johnson et al., "Effect of Concomitant Ingestion of Alcohol on the In Vivo Pharmacokinetics of KADIAN (Morphine Sulfate Extended-Release) Capsules." J of Pain, vol. 9(4), pp. 330-336 (2008).
- Cappola, "A Better Dissolution Method for Ranitidine Tablets USP." Pharmaceutical Development and Technology, vol. 6(1), pp. 11-17 (2001).
- De Haan & Lerk, "Studies on different dissolution models." Pharmaceutisch Weekblad Scientific Edition, vol. 4, pp. 191-196 (1982).
- Karasulu & Ertan, "Different geometric shaped hydrogel theophylline tablets: statistical approach for estimating drug release." II Farmaco, vol. 57, pp. 939-945 (2002).
- United States Food and Drug Administration Alert Alcohol and Palladone Interaction available at www.fda.gov/CDER/Drug/infopage/palladone/default.htm, updated Jul. 2005.
- "Don't mix alcohol & pain killers" American Running & Fitness Association, available at findarticles/p/articles/mi_m0NHF/is_6_17/ai_86649661/print?tag=artBody:col1 (1999).
- McNicol et al., "Management of opioids side effects in cancer related and chronic non cancer pain: a systematic review." J of Pain 4(5), pp. 231-256 (2003).
- Weiss, "Derivatives of Morphine. I. 14-Hydroxydihydromorphine." J American Chemical Society, 77(22), p. 5891-92 (1955).

* cited by examiner

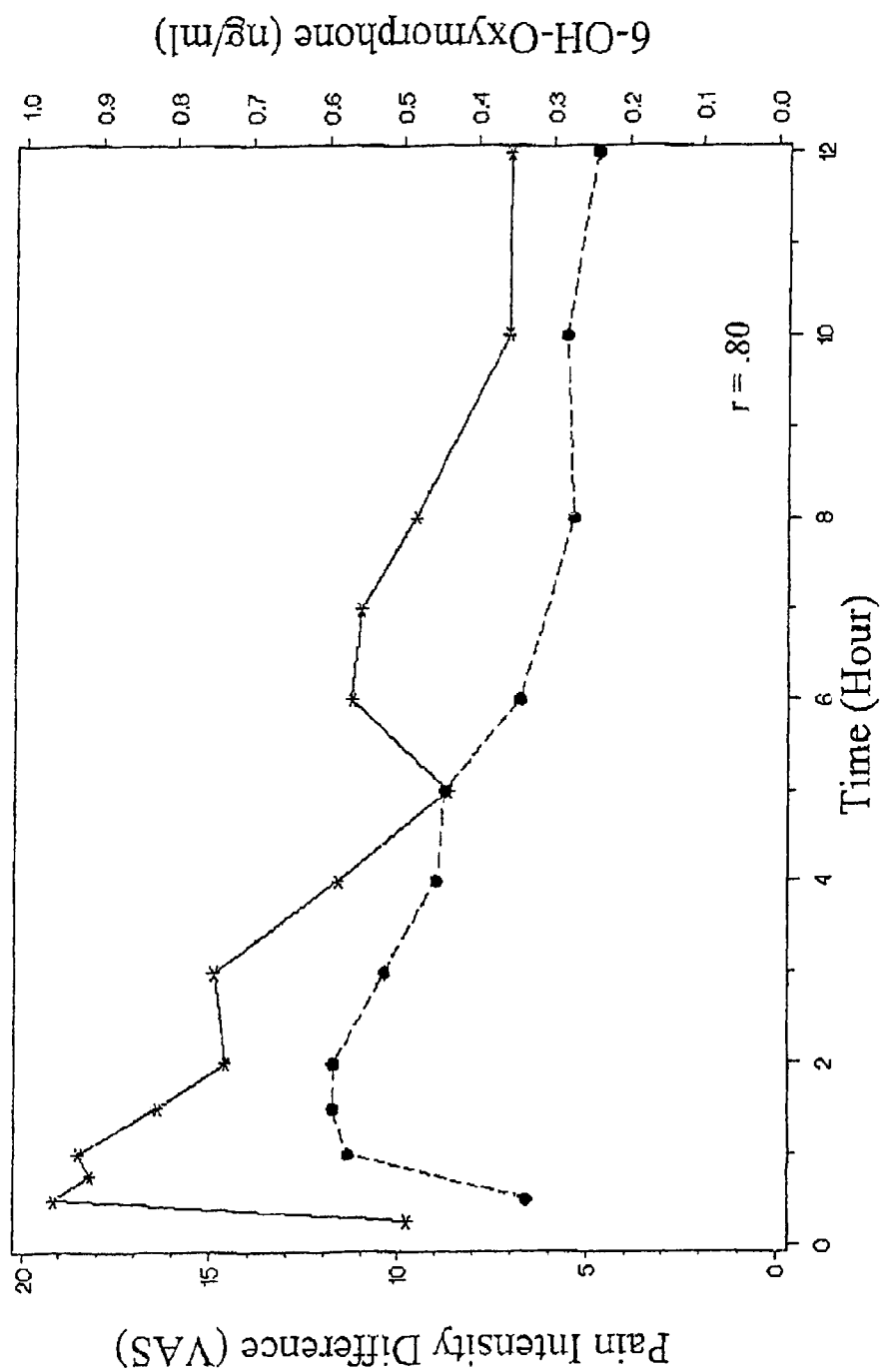
U.S. Patent

Nov. 13, 2012

Sheet 1 of 10

US 8,309,122 B2

PK Profile for 6-OH-Oxymorphone with PID Scores



* Pain Intensity Difference • 6-OH-Oxymorphone Plasma Concentrations

FIG. 1

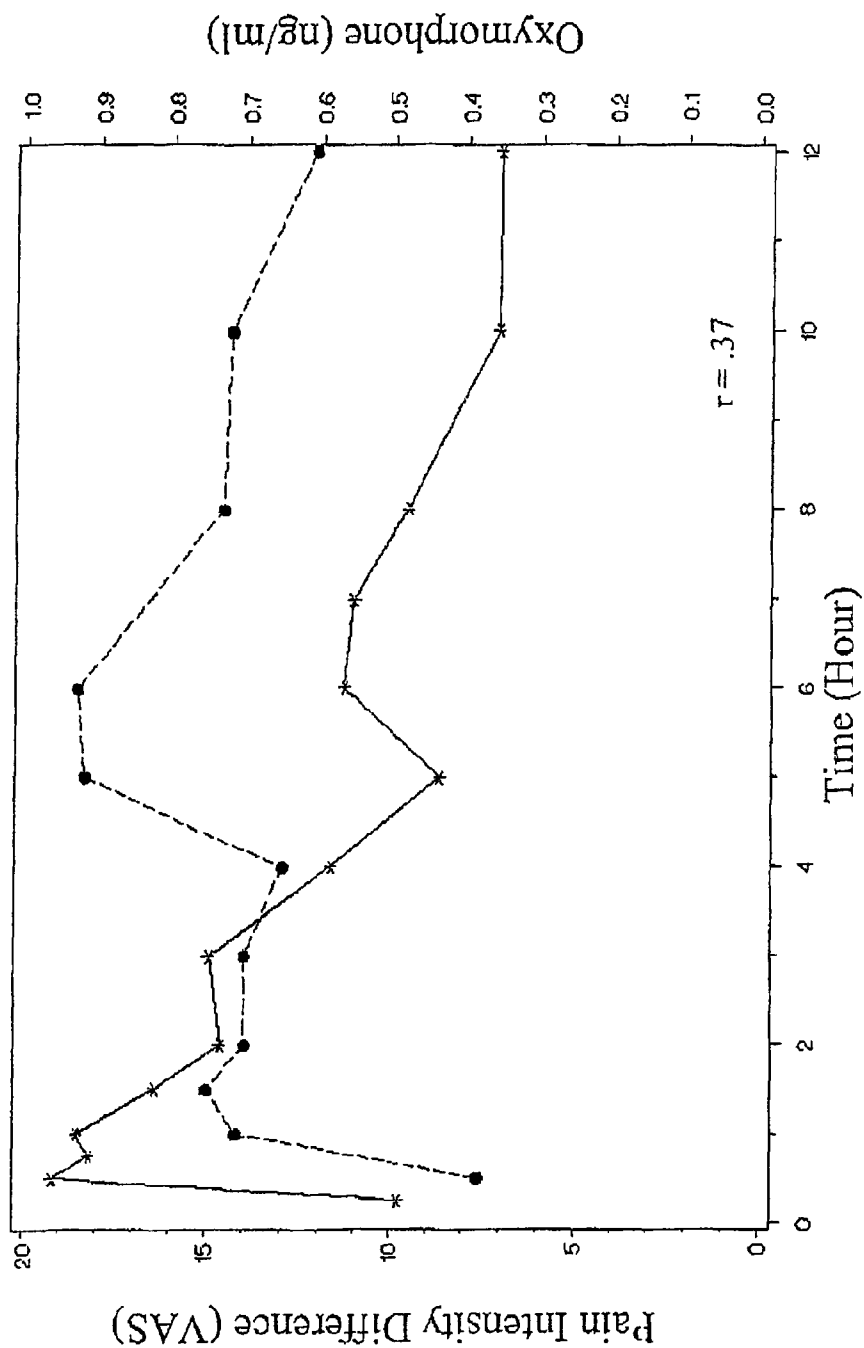
U.S. Patent

Nov. 13, 2012

Sheet 2 of 10

US 8,309,122 B2

PK Profile for Oxymorphone with PID Scores



* Pain Intensity Difference • Oxymorphone Plasma Concentrations
Fig. 2

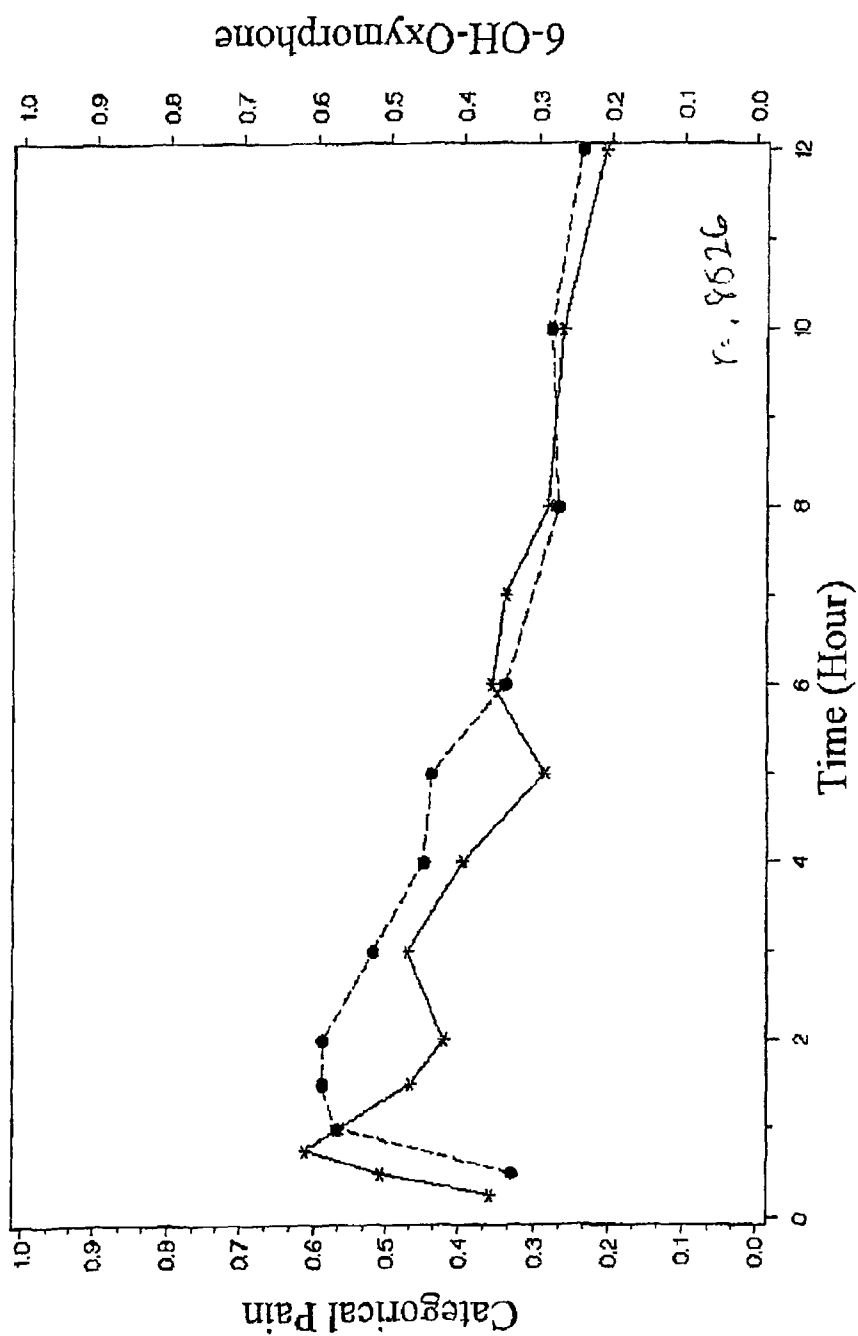
U.S. Patent

Nov. 13, 2012

Sheet 3 of 10

US 8,309,122 B2

PK Profile for 6-OH-Oxymorphone with Categorical Pain Scores



* Categorical Pain • 6-OH Oxymorphone Plasma Concentrations

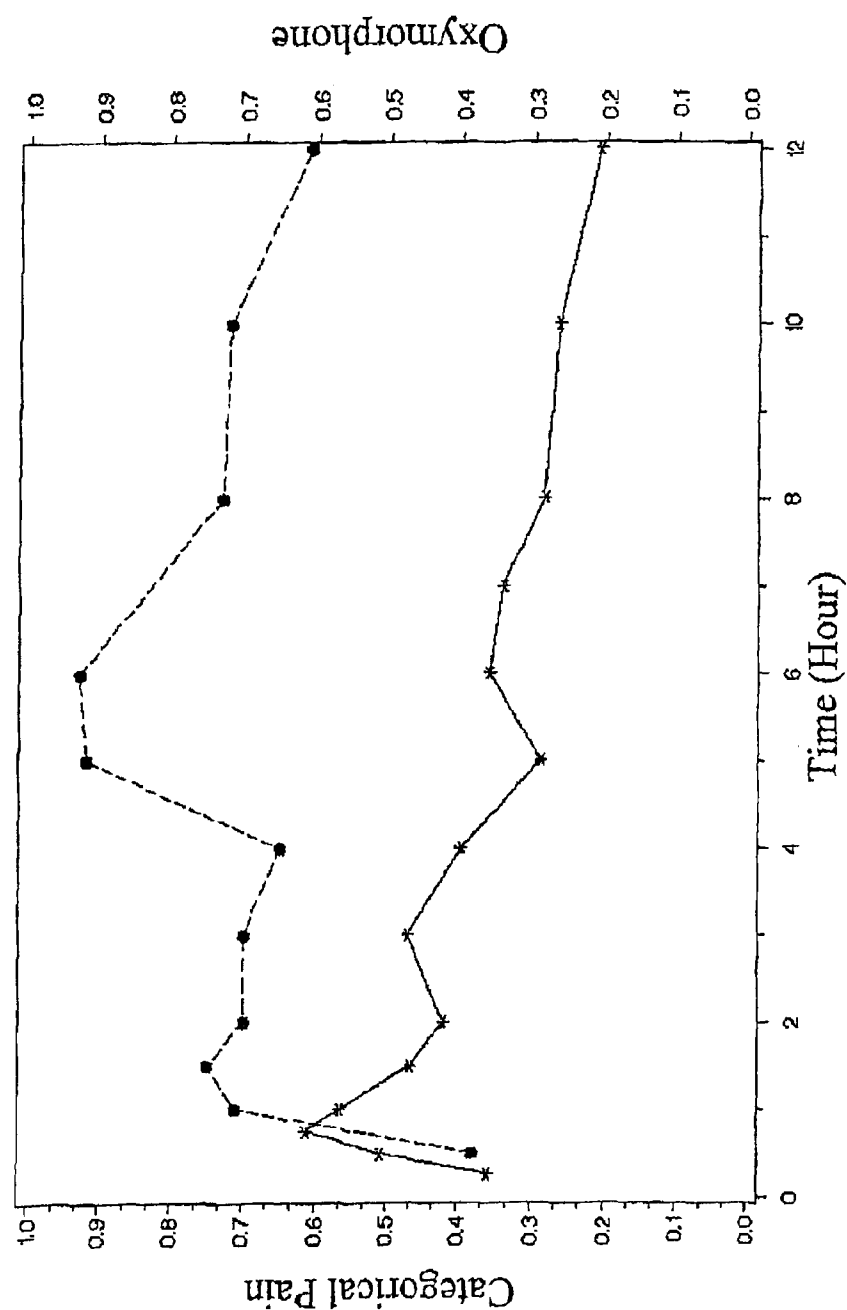
FIG. 3

U.S. Patent

Nov. 13, 2012

Sheet 4 of 10

US 8,309,122 B2

PK Profile for Oxymorphone with Categorical Pain Scores

* Categorical Pain • Oxymorphone Plasma Concentrations

FIG. 4

U.S. Patent

Nov. 13, 2012

Sheet 5 of 10

US 8,309,122 B2

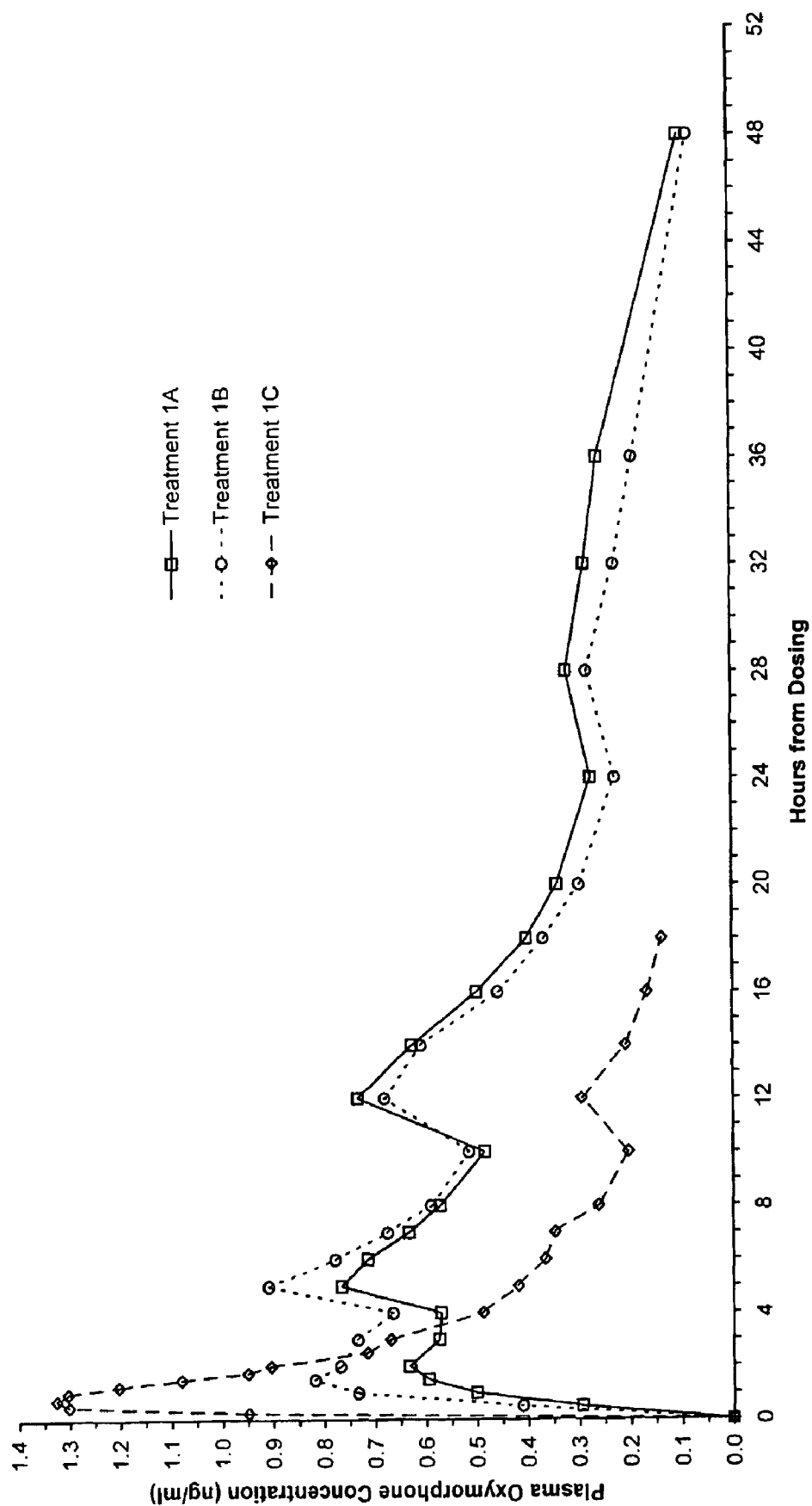


Figure 5

U.S. Patent

Nov. 13, 2012

Sheet 6 of 10

US 8,309,122 B2

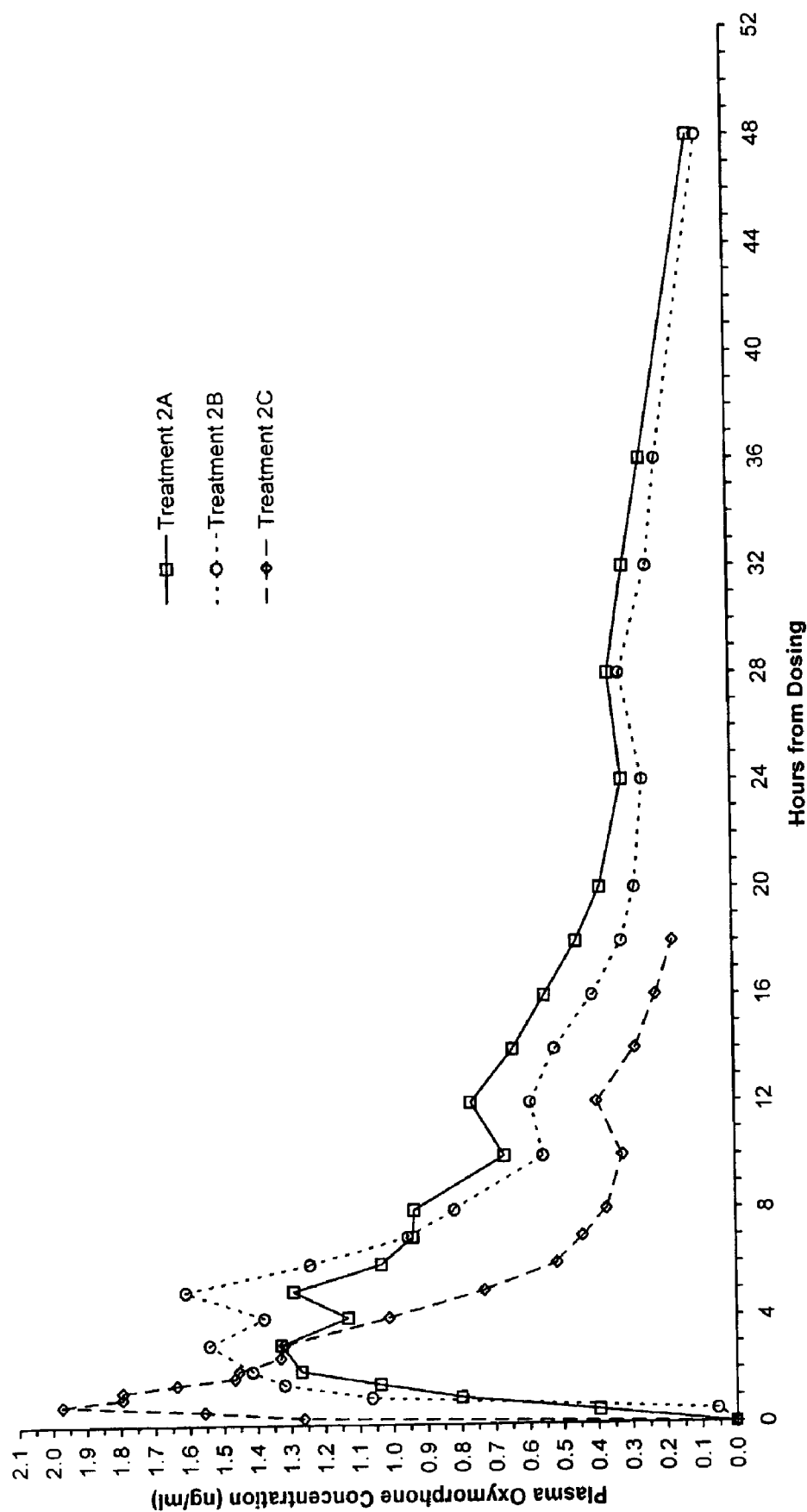


Figure 6

U.S. Patent

Nov. 13, 2012

Sheet 7 of 10

US 8,309,122 B2

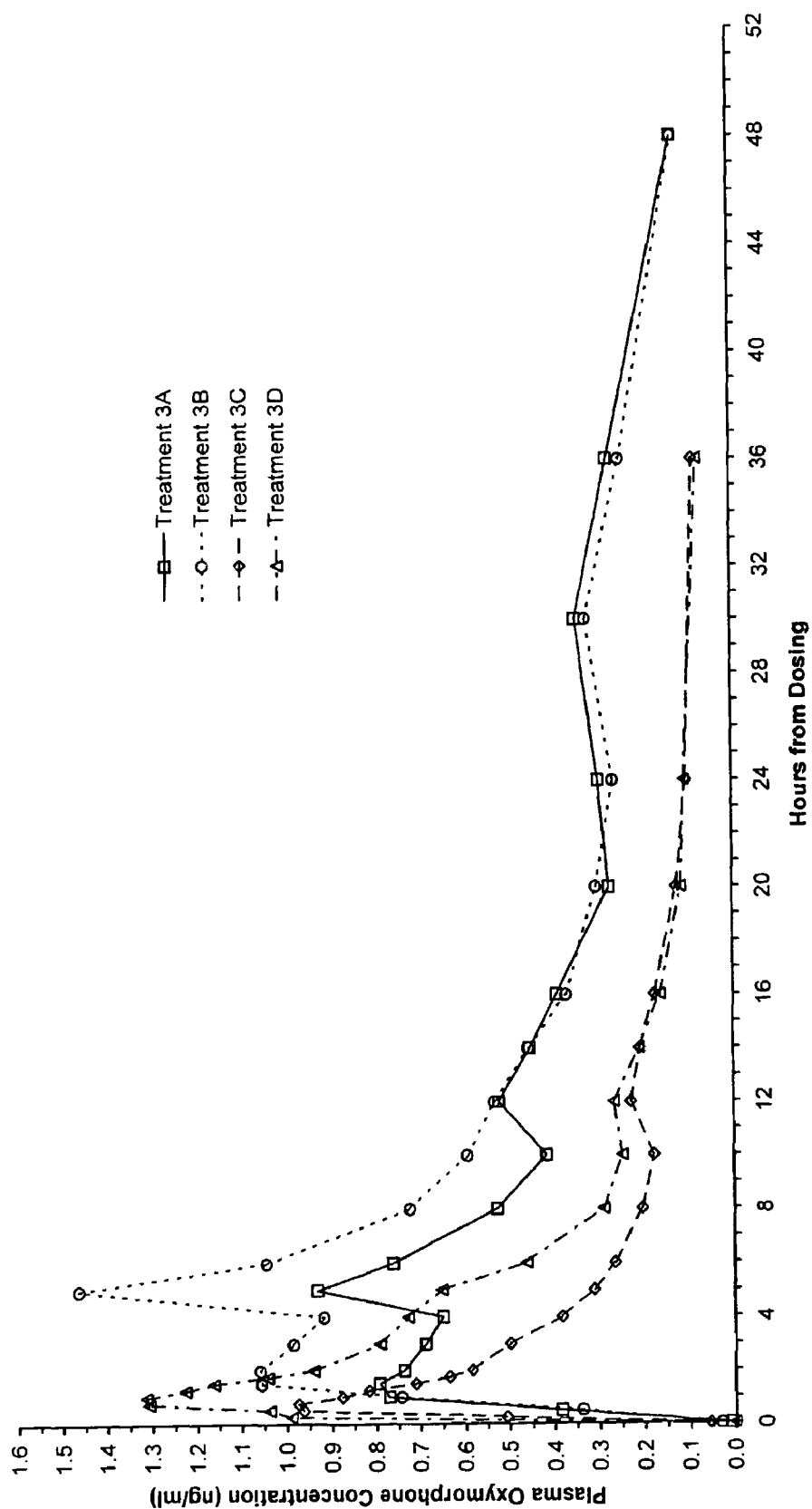


Figure 7

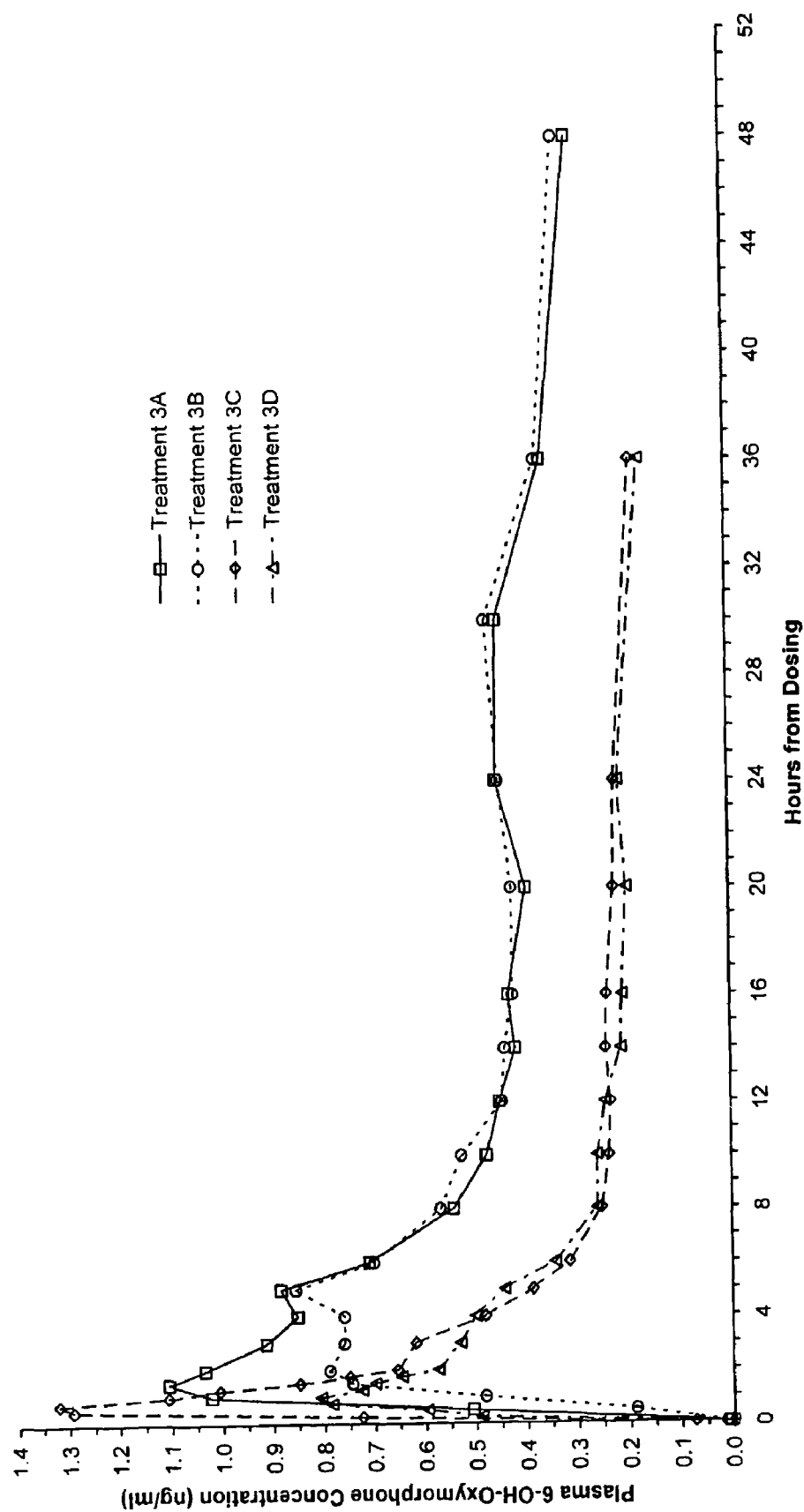


Figure 8

U.S. Patent

Nov. 13, 2012

Sheet 9 of 10

US 8,309,122 B2

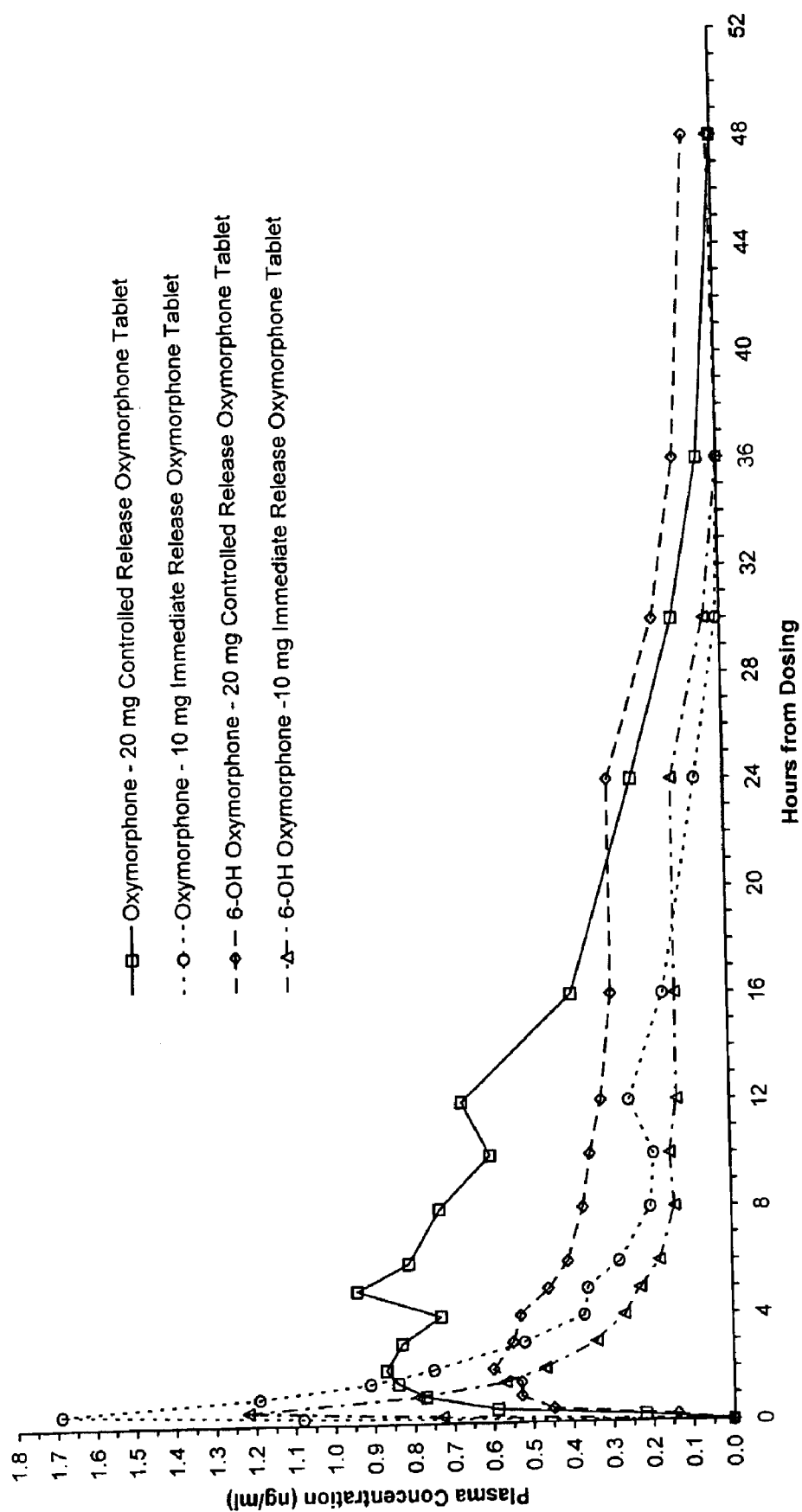


Figure 9

U.S. Patent

Nov. 13, 2012

Sheet 10 of 10

US 8,309,122 B2

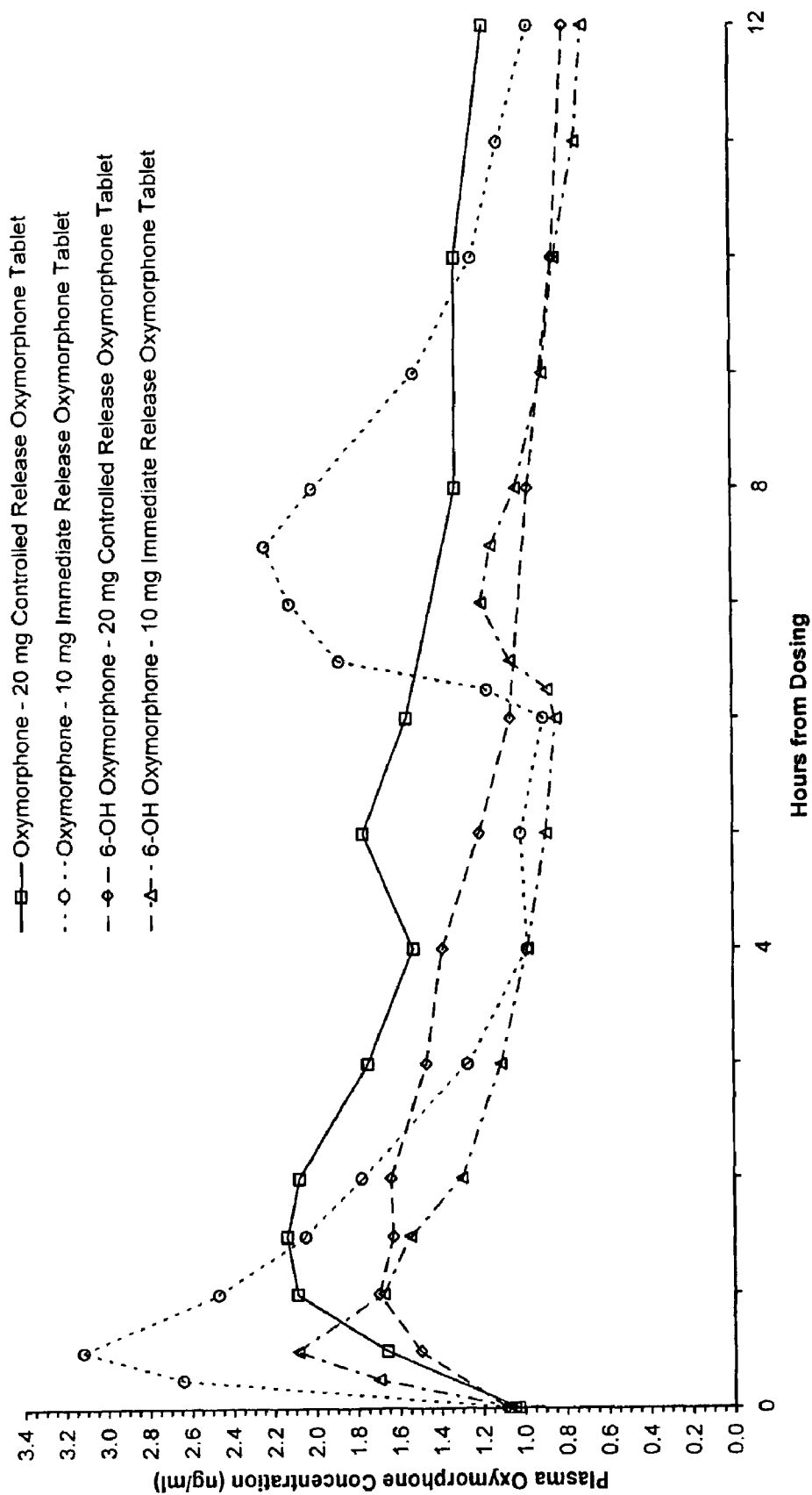


Figure 10

US 8,309,122 B2

1

OXYMORPHONE CONTROLLED RELEASE
FORMULATIONS

RELATED APPLICATIONS

This application is a continuation of U.S. patent application Ser. No. 10/190,192 filed Jul. 3, 2002 and claims priority to U.S. Provisional Patent Application Ser. Nos. 60/329,445 filed Oct. 15, 2001, 60/329,432 filed Oct. 15, 2001, 60/303,357 filed Jul. 6, 2001, and 60/329,444 filed Oct. 15, 2001, which are incorporated herein by reference to the extent permitted by law.

BACKGROUND OF THE INVENTION

Pain is the most frequently reported symptom and it is a common clinical problem which confronts the clinician. Many millions of people in the USA suffer from severe pain that, according to numerous recent reports, is chronically undertreated or inappropriately managed. The clinical usefulness of the analgesic properties of opioids has been recognized for centuries, and morphine and its derivatives have been widely employed for analgesia for decades in a variety of clinical pain states.

Oxymorphone HCl (14-hydroxydihydromorphinone hydrochloride) is a semi-synthetic phenanthrene-derivative opioid agonist, widely used in the treatment of acute and chronic pain, with analgesic efficacy comparable to other opioid analgesics. Oxymorphone is currently marketed as an injection (1 mg/ml in 1 ml ampules; 1.5 mg/ml in 1 ml ampules; 1.5 mg/ml in 10 ml multiple dose vials) for intramuscular, subcutaneous, and intravenous administration, and as 5 mg rectal suppositories. At one time, 2 mg, 5 mg and 10 mg oral immediate release (IR) tablet formulations of oxymorphone HCl were marketed. Oxymorphone HCl is metabolized principally in the liver and undergoes conjugation with glucuronic acid and reduction to 6- α - and beta-hydroxy epimers.

An important goal of analgesic therapy is to achieve continuous relief of chronic pain. Regular administration of an analgesic is generally required to ensure that the next dose is given before the effects of the previous dose have worn off. Compliance with opioids increases as the required dosing frequency decreases. Non-compliance results in suboptimal pain control and poor quality of life outcomes. (Ferrell B et al. Effects of controlled-release morphine on quality of life for cancer pain. *Oncol. Nur. Forum* 1989; 4:521-26). Scheduled, rather than "as needed" administration of opioids is currently recommended in guidelines for their use in chronic non-malignant pain. Unfortunately, evidence from prior clinical trials and clinical experience suggests that the short duration of action of immediate release oxymorphone would necessitate administration every 4-6 hours in order to maintain optimal levels of analgesia in chronic pain. A controlled release formulation which would allow less frequent dosing of oxymorphone would be useful in pain management.

For instance, a controlled release formulation of morphine has been demonstrated to provide patients fewer interruptions in sleep, reduced dependence on caregivers, improved compliance, enhanced quality of life outcomes, and increased control over the management of pain. In addition, the controlled release formulation of morphine was reported to provide more constant plasma concentration and clinical effects, less frequent peak to trough fluctuations, reduced dosing frequency, and possibly fewer side effects. (Thirlwell M P et al., Pharmacokinetics and clinical efficacy of oral morphine solution and controlled-release morphine tablets in cancer

2

patients. *Cancer* 1989; 63:2275-83; Goughnour B R et al., Analgesic response to single and multiple doses of controlled-release morphine tablets and morphine oral solution in cancer patients. *Cancer* 1989; 63:2294-97; Ferrell B. et al., Effects of controlled-release morphine on quality of life for cancer pain. *Oncol. Nur. Forum* 1989; 4:521-26.

There are two factors associated with the metabolism of some drugs that may present problems for their use in controlled release systems. One is the ability of the drug to induce or inhibit enzyme synthesis, which may result in a fluctuating drug blood plasma level with chronic dosing. The other is a fluctuating drug blood level due to intestinal (or other tissue) metabolism or through a hepatic first-pass effect.

Oxymorphone is metabolized principally in the liver, resulting in an oral bioavailability of about 10%. Evidence from clinical experience suggests that the short duration of action of immediate release oxymorphone necessitates a four hour dosing schedule to maintain optimal levels of analgesia. It would be useful to clinicians and patients alike to have controlled release dosage forms of oxymorphone to use to treat pain and a method of treating pain using the dosage forms.

SUMMARY OF THE INVENTION

The present invention provides methods for relieving pain by administering a controlled release pharmaceutical tablet containing oxymorphone which produces at least a predetermined minimum blood plasma level for at least 12 hours after dosing, as well as tablets that produce the sustained pain relief over this time period.

BRIEF DESCRIPTION OF THE FIGURES

FIG. 1 is a pharmacokinetic profile for 6-hydroxy oxymorphone with PID scores.

FIG. 2 is a pharmacokinetic profile for oxymorphone with PID scores.

FIG. 3 is a pharmacokinetic profile for 6-hydroxy oxymorphone with categorical pain scores.

FIG. 4 is a pharmacokinetic profile for oxymorphone with categorical pain scores.

FIG. 5 is a graph of the mean blood plasma concentration of oxymorphone versus time for clinical study 1.

FIG. 6 is a graph of the mean blood plasma concentration of oxymorphone versus time for clinical study 2.

FIG. 7 is a graph of the mean blood plasma concentration of oxymorphone versus time for clinical study 3.

FIG. 8 is a graph of the mean blood plasma concentration of 6-hydroxy oxymorphone versus time for clinical study 3.

FIG. 9 is a graph of the mean blood plasma concentration of oxymorphone for immediate and controlled release tablets from a single dose study.

FIG. 10 is a graph of the mean blood plasma concentration of oxymorphone for immediate and controlled release tablets from a steady state study.

DETAILED DESCRIPTION OF THE INVENTION

The present invention provides methods for alleviating pain for 12 to 24 hours using a single dose of a pharmaceutical composition by producing a blood plasma level of oxymorphone and/or 6-OH oxymorphone of at least a minimum value for at least 12 hours or more. As used herein, the terms "6-OH oxymorphone" and "6-hydroxy oxymorphone" are interchangeable and refer to the analog of oxymorphone hav-

US 8,309,122 B2

3

ing an alcohol (hydroxy) moiety that replaces the carboxy moiety found on oxymorphone at the 6-position.

To overcome the difficulties associated with a 4-6 hourly dosing frequency of oxymorphone, this invention provides an oxymorphone controlled release oral solid dosage form, comprising a therapeutically effective amount of oxymorphone or a pharmaceutically acceptable salt of oxymorphone. It has been found that the decreased rate of release of oxymorphone from the oral controlled release formulation of this invention does not substantially decrease the bioavailability of the drug as compared to the same dose of a solution of oxymorphone administered orally. The bioavailability is sufficiently high and the release rate is such that a sufficient plasma level of oxymorphone and/or 6-OH oxymorphone is maintained to allow the controlled release dosage to be used to treat patients suffering moderate to severe pain with once or twice daily dosing. The dosing form of the present invention can also be used with thrice daily dosing.

It is critical when considering the present invention that the difference between a controlled release tablet and an immediate release formulation be fully understood. In classical terms, an immediate release formulation releases at least 80% of its active pharmaceutical ingredient within 30 minutes. With reference to the present invention, the definition of an immediate release formulation will be broadened further to include a formulation which releases more than about 80% of its active pharmaceutical ingredient within 60 minutes in a standard USP Paddle Method dissolution test at 50 rpm in 500 ml media having a pH of between 1.2 and 6.8 at 37° C. "Controlled release" formulations, as referred to herein, will then encompass any formulations which release no more than about 80% of their active pharmaceutical ingredients within 60 minutes under the same conditions.

The controlled release dosage form of this invention exhibits a dissolution rate in vitro, when measured by USP Paddle Method at 50 rpm in 500 ml media having a pH between 1.2 and 6.8 at 37° C., of about 15% to about 50% by weight oxymorphone released after 1 hour, about 45% to about 80% by weight oxymorphone released after 4 hours, and at least about 80% by weight oxymorphone released after 10 hours.

When administered orally to humans, an effective controlled release dosage form of oxymorphone should exhibit the following in vivo characteristics: (a) peak plasma level of oxymorphone occurs within about 1 to about 8 hours after administration; (b) peak plasma level of 6-OH oxymorphone occurs within about 1 to about 8 hours after administration; (c) duration of analgesic effect is through about 8 to about 24 hours after administration; (d) relative oxymorphone bioavailability is in the range of about 0.5 to about 1.5 compared to an orally-administered aqueous solution of oxymorphone; and (e) the ratio of the area under the curve of blood plasma level vs. time for 6-OH oxymorphone compared to oxymorphone is in the range of about 0.5 to about 1.5. Of course, there is variation of these parameters among subjects, depending on the size and weight of the individual subject, the subject's age, individual metabolism differences, and other factors. Indeed, the parameters may vary in an individual from day to day. Accordingly, the parameters set forth above are intended to be mean values from a sufficiently large study so as to minimize the effect of individual variation in arriving at the values. A convenient method for arriving at such values is by conducting a study in accordance with standard FDA procedures such as those employed in producing results for use in a new drug application (or abbreviated new drug application) before the FDA. Any reference to mean values herein, in conjunction with desired results, refer to results from such a study, or some comparable study. Reference to mean values

4

reported herein for studies actually conducted are arrived at using standard statistical methods as would be employed by one skilled in the art of pharmaceutical formulation and testing for regulatory approval.

In one specific embodiment of the controlled release matrix form of the invention, the oxymorphone or salt of oxymorphone is dispersed in a controlled release delivery system that comprises a hydrophilic material which, upon exposure to gastrointestinal fluid, forms a gel matrix that releases oxymorphone at a controlled rate. The rate of release of oxymorphone from the matrix depends on the drug's partition coefficient between components of the matrix and the aqueous phase within the gastrointestinal tract. In a preferred form of this embodiment, the hydrophilic material of the controlled release delivery system comprises a mixture of a heteropolysaccharide gum and an agent capable of cross-linking the heteropolysaccharide in presence of gastrointestinal fluid. The controlled release delivery system may also comprise a water-soluble pharmaceutical diluent mixed with the hydrophilic material. Preferably, the cross-linking agent is a homopolysaccharide gum and the inert pharmaceutical diluent is a monosaccharide, a disaccharide, or a polyhydric alcohol, or a mixture thereof.

In a specific preferred embodiment, the appropriate blood plasma levels of oxymorphone and 6-hydroxy oxymorphone are achieved using oxymorphone in the form of oxymorphone hydrochloride, wherein the weight ratio of heteropolysaccharide to homopolysaccharide is in the range of about 1:3 to about 3:1, the weight ratio of heteropolysaccharide to diluent is in the range of about 1:8 to about 8:1, and the weight ratio of heteropolysaccharide to oxymorphone hydrochloride is in the range of about 10:1 to about 1:10. A preferred heteropolysaccharide is xanthan gum and a preferred homopolysaccharide is locust bean gum. The dosage form also comprises a cationic cross-linking agent and a hydrophobic polymer. In the preferred embodiment, the dosage form is a tablet containing about 5 mg to about 80 mg of oxymorphone hydrochloride. In a most preferred embodiment, the tablet contains about 20 mg oxymorphone hydrochloride.

The invention includes a method which comprises achieving appropriate blood plasma levels of drug while providing extended pain relief by administering one to three times per day to a patient suffering moderate to severe, acute or chronic pain, an oxymorphone controlled release oral solid dosage form of the invention in an amount sufficient to alleviate the pain for a period of about 8 hours to about 24 hours. This type and intensity of pain is often associated with cancer, autoimmune diseases, infections, surgical and accidental traumas and osteoarthritis.

The invention also includes a method of making an oxymorphone controlled release oral solid dosage form of the invention which comprises mixing particles of oxymorphone or a pharmaceutically acceptable salt of oxymorphone with granules comprising the controlled release delivery system, preferably followed by directly compressing the mixture to form tablets.

Pharmaceutically acceptable salts of oxymorphone which can be used in this invention include salts with the inorganic and organic acids which are commonly used to produce non-toxic salts of medicinal agents. Illustrative examples would be those salts formed by mixing oxymorphone with hydrochloric, sulfuric, nitric, phosphoric, phosphorous, hydrobromic, maleric, malic, ascorbic, citric or tartaric, pamoic, lauric, stearic, palmitic, oleic, myristic, lauryl sulfuric, naphthylene-sulfonic, linoleic or linolenic acid, and the like. The hydrochloride salt is preferred.

US 8,309,122 B2

5

It has now been found that 6-OH oxymorphone, which is one of the metabolites of oxymorphone, may play a role in alleviating pain. When oxymorphone is ingested, part of the dosage gets into the bloodstream to provide pain relief, while another part is metabolized to 6-OH oxymorphone. This metabolite then enters the bloodstream to provide further pain relief. Thus it is believed that both the oxymorphone and 6-hydroxyoxymorphone levels are important to pain relief.

The effectiveness of oxymorphone and 6-hydroxyoxymorphone at relieving pain and the pharmacokinetics of a single dose of oxymorphone were studied. The blood plasma levels of both oxymorphone and 6-hydroxyoxymorphone were measured in patients after a single dose of oxymorphone was administered. Similarly, the pain levels in patients were measured after a single administration of oxymorphone to determine the effective duration of pain relief from a single dose. FIGS. 1-2 show the results of these tests, comparing pain levels to oxymorphone and 6-hydroxy oxymorphone levels.

For these tests, pain was measured using a Visual Analog Scale (VAS) or a Categorical Scale. The VAS scales consisted of a horizontal line, 100 mm in length. The left-hand end of the scale (0 mm) was marked with the descriptor "No Pain" and the right-hand end of the scale (100 mm) was marked with the descriptor "Extreme Pain". Patients indicated their level of pain by making a vertical mark on the line. The VAS score was equal to the distance (in mm) from the left-hand end of the scale to the patient's mark. For the categorical scale, patients completed the following statement, "My pain at this time is" using the scale None=0, Mild=1, Moderate=2, or Severe=3.

As can be seen from these figures, there is a correlation between pain relief and both oxymorphone and 6-hydroxyoxymorphone levels. As the blood plasma levels of oxymorphone and 6-hydroxyoxymorphone increase, pain decreases (and pain intensity difference and pain relief increases). Thus, to the patient, it is the level of oxymorphone and 6-hydroxyoxymorphone in the blood plasma which is most important. Further it is these levels which dictate the efficacy of the dosage form. A dosage form which maintains a sufficiently high level of oxymorphone or 6-hydroxyoxymorphone for a longer period need not be administered frequently. Such a result is accomplished by embodiments of the present invention.

The oxymorphone controlled release oral solid dosage form of this invention can be made using any of several different techniques for producing controlled release oral solid dosage forms of opioid analgesics.

In one embodiment, a core comprising oxymorphone or oxymorphone salt is coated with a controlled release film which comprises a water insoluble material and which upon exposure to gastrointestinal fluid releases oxymorphone from the core at a controlled rate. In a second embodiment, the oxymorphone or oxymorphone salt is dispersed in a controlled release delivery system that comprises a hydrophilic material which upon exposure to gastrointestinal fluid forms a gel matrix that releases oxymorphone at a controlled rate. A third embodiment is a combination of the first two: a controlled release matrix coated with a controlled release film. In a fourth embodiment the oxymorphone is incorporated into an osmotic pump. In any of these embodiments, the dosage form can be a tablet, a plurality of granules in a capsule, or other suitable form, and can contain lubricants, colorants, diluents, and other conventional ingredients.

Osmotic Pump

An osmotic pump comprises a shell defining an interior compartment and having an outlet passing through the shell. The interior compartment contains the active pharmaceutical

6

ingredient. Generally the active pharmaceutical ingredient is mixed with excipients or other compositions such as a polyalkylene. The shell is generally made, at least in part, from a material (such as cellulose acetate) permeable to the liquid of the environment where the pump will be used, usually stomach acid. Once ingested, the pump operates when liquid diffuses through the shell of the pump. The liquid dissolves the composition to produce a saturated situation. As more liquid diffuses into the pump, the saturated solution containing the pharmaceutical is expelled from the pump through the outlet. This produces a nearly constant release of active ingredient, in the present case, oxymorphone.

Controlled Release Coating

In this embodiment, a core comprising oxymorphone or oxymorphone salt is coated with a controlled release film which comprises a water insoluble material. The film can be applied by spraying an aqueous dispersion of the water insoluble material onto the core. Suitable water insoluble materials include alkyl celluloses, acrylic polymers, waxes (alone or in admixture with fatty alcohols), shellac and zein. The aqueous dispersions of alkyl celluloses and acrylic polymers preferably contain a plasticizer such as triethyl citrate, dibutyl phthalate, propylene glycol, and polyethylene glycol. The film coat can contain a water-soluble material such as polyvinylpyrrolidone (PVP) or hydroxypropylmethylcellulose (HPMC).

The core can be a granule made, for example, by wet granulation of mixed powders of oxymorphone or oxymorphone salt and a binding agent such as HPMC, or by coating an inert bead with oxymorphone or oxymorphone salt and a binding agent such as HPMC, or by spheronising mixed powders of oxymorphone or oxymorphone salt and a spheronising agent such as microcrystalline cellulose. The core can be a tablet made by compressing such granules or by compressing a powder comprising oxymorphone or oxymorphone salt.

The in vitro and in vivo release characteristics of this controlled release dosage form can be modified by using mixtures of different water insoluble and water soluble materials, using different plasticizers, varying the thickness of the controlled release film, including release-modifying agents in the coating, or by providing passageways through the coating.

Controlled Release Matrix

It is important in the present invention that appropriate blood plasma levels of oxymorphone and 6-hydroxy oxymorphone be achieved and maintained for sufficient time to provide pain relief to a patient for a period of 12 to 24 hours. The preferred composition for achieving and maintaining the proper blood plasma levels is a controlled-release matrix. In this embodiment, the oxymorphone or oxymorphone salt is dispersed in a controlled release delivery system that comprises a hydrophilic material (gelling agent) which upon exposure to gastrointestinal fluid forms a gel matrix that releases oxymorphone at a controlled rate. Such hydrophilic materials include gums, cellulose ethers, acrylic resins, and protein-derived materials. Suitable cellulose ethers include hydroxyalkyl celluloses and carboxyalkyl celluloses, especially hydroxyethyl cellulose (HEC), hydroxypropyl cellulose (HPC), HPMC, and carboxy methylcellulose (CMC). Suitable acrylic resins include polymers and copolymers of acrylic acid, methacrylic acid, methyl acrylate and methyl methacrylate. Suitable gums include heteropolysaccharide and homopolysaccharide gums, e.g., xanthan, tragacanth, acacia, karaya, alginates, agar, guar, hydroxypropyl guar, carrageenan, and locust bean gums.

Preferably, the controlled release tablet of the present invention is formed from (I) a hydrophilic material comprising (a) a heteropolysaccharide; or (b) a heteropolysaccharide

US 8,309,122 B2

7

and a cross-linking agent capable of cross-linking said heteropolysaccharide; or (c) a mixture of (a), (b) and a polysaccharide gum; and (II) an inert pharmaceutical filler comprising up to about 80% by weight of the tablet; and (III) oxymorphone.

The term "heteropolysaccharide" as used herein is defined as a water-soluble polysaccharide containing two or more kinds of sugar units, the heteropolysaccharide having a branched or helical configuration, and having excellent water-wicking properties and immense thickening properties.

A preferred heteropolysaccharide is xanthan gum, which is a high molecular weight ($>10^6$) heteropolysaccharide. Other preferred heteropolysaccharides include derivatives of xanthan gum, such as deacylated xanthan gum, the carboxymethyl ether, and the propylene glycol ester.

The cross linking agents used in the controlled release embodiment of the present invention which are capable of cross-linking with the heteropolysaccharide include homopolysaccharide gums such as the galactomannans, i.e., polysaccharides which are composed solely of mannose and galactose. Galactomannans which have higher proportions of unsubstituted mannose regions have been found to achieve more interaction with the heteropolysaccharide. Locust bean gum, which has a higher ratio of mannose to the galactose, is especially preferred as compared to other galactomannans such as guar and hydroxypropyl guar.

Preferably, the ratio of heteropolysaccharide to homopolysaccharide is in the range of about 1:9 to about 9:1, preferably about 1:3 to about 3:1. Most preferably, the ratio of xanthan gum to polysaccharide material (i.e., locust bean gum, etc.) is preferably about 1:1.

In addition to the hydrophilic material, the controlled release delivery system can also contain an inert pharmaceutical diluent such as a monosaccharide, a disaccharide, a polyhydric alcohol and mixtures thereof. The ratio of diluent to hydrophilic matrix-forming material is generally in the range of about 1:3 to about 3:1.

The controlled release properties of the controlled release embodiment of the present invention may be optimized when the ratio of heteropolysaccharide gum to homopolysaccharide material is about 1:1, although heteropolysaccharide gum in an amount of from about 20 to about 80% or more by weight of the heterodisperse polysaccharide material provides an acceptable slow release product. The combination of any homopolysaccharide gums known to produce a synergistic effect when exposed to aqueous solutions may be used in accordance with the present invention. It is also possible that the type of synergism which is present with regard to the gum combination of the present invention could also occur between two homogeneous or two heteropolysaccharides. Other acceptable gelling agents which may be used in the present invention include those gelling agents well-known in the art. Examples include vegetable gums such as alginates, carrageenan, pectin, guar gum, xanthan gum, modified starch, hydroxypropylmethylcellulose, methylcellulose, and other cellulosic materials such as sodium carboxymethylcellulose and hydroxypropyl cellulose. This list is not meant to be exclusive.

The combination of xanthan gum with locust bean gum with or without the other homopolysaccharide gums is an especially preferred gelling agent. The chemistry of certain of the ingredients comprising the excipients of the present invention such as xanthan gum is such that the excipients are considered to be self-buffering agents which are substantially

8

insensitive to the solubility of the medicament and likewise insensitive to the pH changes along the length of the gastrointestinal tract.

The inert filler of the sustained release excipient preferably comprises a pharmaceutically acceptable saccharide, including a monosaccharide, a disaccharide, or a polyhydric alcohol, and/or mixtures of any of the foregoing. Examples of suitable inert pharmaceutical fillers include sucrose, dextrose, lactose, microcrystalline cellulose, fructose, xylitol, sorbitol, mixtures thereof and the like. However, it is preferred that a soluble pharmaceutical filler such as lactose, dextrose, sucrose, or mixtures thereof be used.

The cationic cross-linking agent which is optionally used in conjunction with the controlled release embodiment of the present invention may be monovalent or multivalent metal cations. The preferred salts are the inorganic salts, including various alkali metal and/or alkaline earth metal sulfates, chlorides, borates, bromides, citrates, acetates, lactates, etc. Specific examples of suitable cationic cross-linking agents include calcium sulfate, sodium chloride, potassium sulfate, sodium carbonate, lithium chloride, tripotassium phosphate, sodium borate, potassium bromide, potassium fluoride, sodium bicarbonate, calcium chloride, magnesium chloride, sodium citrate, sodium acetate, calcium lactate, magnesium sulfate and sodium fluoride. Multivalent metal cations may also be utilized. However, the preferred cationic cross-linking agents are bivalent. Particularly preferred salts are calcium sulfate and sodium chloride. The cationic cross-linking agents of the present invention are added in an amount effective to obtain a desirable increased gel strength due to the cross-linking of the gelling agent (e.g., the heteropolysaccharide and homopolysaccharide gums). In preferred embodiments, the cationic cross-linking agent is included in the sustained release excipient of the present invention in an amount from about 1 to about 20% by weight of the sustained release excipient, and in an amount about 0.5% to about 16% by weight of the final dosage form.

In the controlled release embodiments of the present invention, the sustained release excipient comprises from about 10 to about 99% by weight of a gelling agent comprising a heteropolysaccharide gum and a homopolysaccharide gum, from about 1 to about 20% by weight of a cationic crosslinking agent, and from about 0 to about 89% by weight of an inert pharmaceutical diluent. In other embodiments, the sustained release excipient comprises from about 10 to about 75% gelling agent, from about 2 to about 15% cationic crosslinking agent, and from about 30 to about 75% inert diluent. In yet other embodiments, the sustained release excipient comprises from about 30 to about 75% gelling agent, from about 5 to about 10% cationic cross-linking agent, and from about 15 to about 65% inert diluent.

The sustained release excipient used in this embodiment of the present invention (with or without the optional cationic cross-linking agent) may be further modified by incorporation of a hydrophobic material which slows the hydration of the gums without disrupting the hydrophilic matrix. This is accomplished in preferred embodiments of the present invention by granulating the sustained release excipient with the solution or dispersion of a hydrophobic material prior to the incorporation of the medicament. The hydrophobic polymer may be selected from an alkylcellulose such as ethylcellulose, other hydrophobic cellulosic materials, polymers or copolymers derived from acrylic or methacrylic acid esters, copolymers of acrylic and methacrylic acid esters, zein, waxes, shellac, hydrogenated vegetable oils, and any other pharmaceutically acceptable hydrophobic material known to those skilled in the art. The amount of hydrophobic material incor-

US 8,309,122 B2

9

porated into the sustained release excipient is that which is effective to slow the hydration of the gums without disrupting the hydrophilic matrix formed upon exposure to an environmental fluid. In certain preferred embodiments of the present invention, the hydrophobic material is included in the sustained release excipient in an amount from about 1 to about 20% by weight. The solvent for the hydrophobic material may be an aqueous or organic solvent, or mixtures thereof.

Examples of commercially available alkylcelluloses are Aquacoat coating (aqueous dispersion of ethylcellulose available from FMC of Philadelphia, Pa.) and Surelease coating (aqueous dispersion of ethylcellulose available from Colcoron of West Point, Pa.). Examples of commercially available acrylic polymers suitable for use as the hydrophobic material include Eudragit RS and RL polymers (copolymers of acrylic and methacrylic acid esters having a low content (e.g., 1:20 or 1:40) of quaternary ammonium compounds available from Rohm America of Piscataway, N.J.).

The controlled release matrix useful in the present invention may also contain a cationic cross-linking agent such as calcium sulfate in an amount sufficient to cross-link the gelling agent and increase the gel strength, and an inert hydrophobic material such as ethyl cellulose in an amount sufficient to slow the hydration of the hydrophilic material without disrupting it. Preferably, the controlled release delivery system is prepared as a pre-manufactured granulation.

EXAMPLES

Example 1

Two controlled release delivery systems are prepared by dry blending xanthan gum, locust bean gum, calcium sulfate dehydrate, and dextrose in a high speed mixed/granulator for 3 minutes. A slurry is prepared by mixing ethyl cellulose with alcohol. While running choppers/impellers, the slurry is added to the dry blended mixture, and granulated for another 3 minutes. The granulation is then dried to a LOD (loss on drying) of less than about 10% by weight. The granulation is then milled using 20 mesh screen. The relative quantities of the ingredients are listed in the table below.

TABLE 1

Controlled Release Delivery System		
Excipient	Formulation 1 (%)	Formulation 2 (%)
Locust Bean Gum, FCC	25.0	30.0
Xanthan Gum, NF	25.0	30.0
Dextrose, USP	35.0	40.0
Calcium Sulfate Dihydrate, NF	10.0	0.0
Ethylcellulose, NF	5.0	0.0
Alcohol, SD3A (Anhydrous)	(10) ¹	(20.0) ¹
Total	100.0	100.0

A series of tablets containing different amounts of oxymorphone hydrochloride were prepared using the controlled release delivery Formulation 1 shown in Table 1. The quantities of ingredients per tablet are as listed in the following table.

10

TABLE 2

Sample Tablets of Differing Strengths					
Component	Amounts in Tablet (mg)				
Oxymorphone HCl, USP (mg)	5	10	20	40	80
Controlled release delivery system	160	160	160	160	160
Silicified microcrystalline cellulose, N.F.	20	20	20	20	20
Sodium stearyl fumarate, NF	2	2	2	2	2
Total weight	187	192	202	222	262
Opadry (colored)	7.48	7.68	8.08	8.88	10.48
Opadry (clear)	0.94	0.96	1.01	1.11	1.31

Examples 2 and 3

Two batches of 20 mg tablets were prepared as described above, using the controlled release delivery system of Formulation 1. One batch was formulated to provide relatively fast controlled release, the other batch was formulated to provide relatively slow controlled release. Compositions of the tablets are shown in the following table.

TABLE 3

Slow and Fast Release Compositions			
Ingredients	Example 2 Slow (mg)	Example 3 Fast (mg)	Example 4 Fast (mg)
Oxymorphone HCl, USP	20	20	20
Controlled Release Delivery System	360	160	160
Silicified Microcrystalline Cellulose, NF	20	20	20
Sodium stearyl fumarate, NF	4	2	2
Total weight	404	202	202
Coating (color or clear)	12	12	9

The tablets of Examples 2, 3, and 4 were tested for in vitro release rate according to USP Procedure Drug Release U.S. Pat. No. 23. Release rate is a critical variable in attempting to control the blood plasma levels of oxymorphone and 6-hydroxyoxymorphone in a patient. Results are shown in the following Table 4.

TABLE 4

Release Rates of Slow and Fast Release Tablets			
Time (hr)	Example 2 (Slow Release)	Example 3 (Fast Release)	Example 4 (Fast Release)
0.5	18.8	21.3	20.1
1	27.8	32.3	31.7
2	40.5	47.4	46.9
3	50.2	58.5	57.9
4	58.1	66.9	66.3
5	64.7	73.5	74.0
6	70.2	78.6	83.1
8	79.0	86.0	92.0
10	85.3	90.6	95.8
12	89.8	93.4	97.3

Clinical Studies

Three clinical studies were conducted to assess the bioavailability (rate and extent of absorption) of oxymorphone. Study 1 addressed the relative rates of absorption of con-

US 8,309,122 B2

11

trolled release (CR) oxymorphone tablets (of Examples 2 and 3) and oral oxymorphone solution in fasted patients. Study 2 addressed the relative rates of absorption of CR oxymorphone tablets (of Examples 2 and 3) and oral oxymorphone solution in fed patients. Study 3 addressed the relative rates of absorption of CR oxymorphone tablets (of Example 4) and oral oxymorphone solution in fed and fasted patients.

The blood plasma levels set forth herein as appropriate to achieve the objects of the present invention are mean blood plasma levels. As an example, if the blood plasma level of oxymorphone in a patient 12 hours after administration of a tablet is said to be at least 0.5 ng/ml, any particular individual may have lower blood plasma levels after 12 hours. However, the mean minimum concentration should meet the limitation set forth. To determine mean parameters, a study should be performed with a minimum of 8 adult subjects, in a manner acceptable for filing an application for drug approval with the US Food and Drug Administration. In cases where large fluctuations are found among patients, further testing may be necessary to accurately determine mean values.

For all studies, the following procedures were followed, unless otherwise specified for a particular study.

The subjects were not to consume any alcohol-, caffeine-, or xanthine-containing foods or beverages for 24 hours prior to receiving study medication for each study period. Subjects were to be nicotine and tobacco free for at least 6 months prior to enrolling in the study. In addition, over-the-counter medications were prohibited 7 days prior to dosing and during the study. Prescription medications were not allowed 14 days prior to dosing and during the study.

Pharmacokinetic and Statistical Methods

The following pharmacokinetic parameters were computed from the plasma oxymorphone concentration-time data:

$AUC_{(0-t)}$	Area under the drug concentration-time curve from time zero to the time of the last quantifiable concentration (C_t), calculated using linear trapezoidal summation.
$AUC_{(0-inf)}$	Area under the drug concentration-time curve from time zero to infinity. $AUC_{(0-inf)} = AUC_{(0-t)} + C_t/K_{el}$, where K_{el} is the terminal elimination rate constant.
$AUC_{(0-24)}$	Partial area under the drug concentration-time curve from time zero to 24 hours.
C_{max}	Maximum observed drug concentration.
T_{max}	Time of the observed maximum drug concentration.
K_{el}	Elimination rate constant based on the linear regression of the terminal linear portion of the LN(concentration) time curve.

Terminal elimination rate constants for use in the above calculations were in turn computed using linear regression of a minimum of three time points, at least two of which were consecutive. K_{el} values for which correlation coefficients were less than or equal to 0.8 were not reported in the pharmacokinetic parameter tables or included in the statistical analysis. Thus $AUC_{(0-inf)}$ was also not reported in these cases.

A parametric (normal-theory) general linear model was applied to each of the above parameters (excluding T_{max}), and the LN-transformed parameters C_{max} , $AUC_{(0-24)}$, $AUC_{(0-t)}$, and $AUC_{(0-inf)}$. Initially, the analysis of variance (ANOVA) model included the following factors: treatment, sequence, subject within sequence, period, and carryover effect. If carryover effect was not significant, it was dropped from the model. The sequence effect was tested using the subject within sequence mean square, and all other main effects were tested using the residual error (error mean square).

Plasma oxymorphone concentrations were listed by subject at each collection time and summarized using descriptive

12

statistics. Pharmacokinetic parameters were also listed by subject and summarized using descriptive statistics.

Study 1—Two Controlled Release Formulations; Fasted Patients

Healthy volunteers received a single oral dose of 20 mg CR oxymorphone taken with 240 ml water after a 10-hour fast. Subjects received the tablets of Example 2 (Treatment 1A) or Example 3 (Treatment 1B). Further subjects were given a single oral dose of 10 mg/10 ml oxymorphone solution in 180 ml apple juice followed with 60 ml water (Treatment 1C). The orally dosed solution was used to simulate an immediate release (IR) dose.

This study had a single-center, open-label, randomized, three-way crossover design using fifteen subjects. Subjects were in a fasted state following a 10-hour overnight fast. There was a 14-day washout interval between the three dose administrations. The subjects were confined to the clinic during each study period. Subjects receiving Treatment 1C were confined for 18 hours and subjects receiving Treatments 1A or 1B were confined for 48 hours after dosing. Ten-milliliter blood samples were collected during each study period at the 0 hour (predose), and at 0.5, 1, 1.5, 2, 3, 4, 5, 6, 7, 8, 10, 12, 14, 16, 18, 20, 24, 28, 32, 36, and 48 hours postdose for subjects receiving Treatment 1A or 1B and 0, 0.25, 0.5, 0.75, 1, 1.25, 1.5, 1.75, 2, 2.5, 3, 4, 5, 6, 7, 8, 10, 12, 14, 16, and 18 hours post-dose. The mean plasma concentration of oxymorphone versus time for each treatment across all subjects is shown in table 5.

TABLE 5

Mean Plasma Concentration vs. Time (ng/ml)				
Time (hr)	Treatment 1A	Treatment 1B	Treatment 1C	
0	0.000	0.000	0.0000	
0.25			0.9489	
0.5	0.2941	0.4104	1.3016	
0.75			1.3264	
1	0.5016	0.7334	1.3046	
1.25			1.2041	
1.5	0.5951	0.8192	1.0813	
1.75			0.9502	
2	0.6328	0.7689	0.9055	
2.5			0.7161	
3	0.5743	0.7341	0.6689	
4	0.5709	0.6647	0.4879	
5	0.7656	0.9089	0.4184	
6	0.7149	0.7782	0.3658	
7	0.6334	0.6748	0.3464	
8	0.5716	0.5890	0.2610	
10	0.4834	0.5144	0.2028	
12	0.7333	0.6801	0.2936	
14	0.6271	0.6089	0.2083	
16	0.4986	0.4567	0.1661	
18	0.4008	0.3674	0.1368	
20	0.3405	0.2970		
24	0.2736	0.2270		
28	0.3209	0.2805		
32	0.2846	0.2272		
36	0.2583	0.1903		
48	0.0975	0.0792		

The results are shown graphically in FIG. 5. In both Table 5 and FIG. 5, the results are normalized to a 20 mg dosage. The immediate release liquid of Treatment 1C shows a classical curve, with a high and relatively narrow peak, followed by an exponential drop in plasma concentration. However, the controlled release oxymorphone tablets exhibit triple peaks in blood plasma concentration. The first peak occurs (on average) at around 3 hours. The second peak of the mean blood plasma concentration is higher than the first, occurring around 6-7 hours, on average).

US 8,309,122 B2

13

Occasionally, in an individual, the first peak is higher than the second, although generally this is not the case. This makes it difficult to determine the time to maximum blood plasma concentration (T_{max}) because if the first peak is higher than the second, maximum blood plasma concentration (C_{max}) occurs much earlier (at around 3 hours) than in the usual case where the second peak is highest. Therefore, when we refer to the time to peak plasma concentration (T_{max}) unless otherwise specified, we refer to the time to the second peak. Further, when reference is made to the second peak, we refer to the time or blood plasma concentration at the point where the blood plasma concentration begins to drop the second time. Generally, where the first peak is higher than the second, the difference in the maximum blood plasma concentration at the two peaks is small. Therefore, this difference (if any) was ignored and the reported C_{max} was the true maximum blood plasma concentration and not the concentration at the second peak.

TABLE 6

Pharmacokinetic Parameters of Plasma Oxymorphone for Study 1						
	Treatment 1A		Treatment 1B		Treatment 1C	
	Mean	SD	Mean	SD	Mean	SD
C_{max}	0.8956	0.2983	1.0362	0.3080	2.9622	1.0999
T_{max}	7.03	4.10	4.89	3.44	0.928	0.398
$AUC_{(0-t)}$	17.87	6.140	17.16	6.395	14.24	5.003
$AUC_{(0-inf)}$	19.87	6.382	18.96	6.908	16.99	5.830
$T_{1/2el}$	10.9	2.68	11.4	2.88	6.96	4.61
Units:						
C_{max} in ng/ml,						
T_{max} in hours,						
AUC in ng * hr/ml,						
$T_{1/2el}$ in hours.						

Relative bioavailability determinations are set forth in Tables 7 and 8. For these calculations, AUC was normalized for all treatments to a 20 mg dose.

TABLE 7

Relative Bioavailability (F_{rel}) Determination Based on $AUC_{(0-inf)}$		
F_{rel} (1A vs. 1C)	F_{rel} (1B vs. 1C)	F_{rel} (1A vs. 1B)
1.193 ± 0.203	1.121 ± 0.211	1.108 ± 0.152

TABLE 8

Relative Bioavailability Determination Based on $AUC_{(0-18)}$		
F_{rel} (1A vs. 1C)	F_{rel} (1B vs. 1C)	F_{rel} (1A vs. 1B)
0.733 ± 0.098	0.783 ± 0.117	0.944 ± 0.110

Study 2—Two CR Formulations; Fed Patients

Healthy volunteers received a single oral dose of 20 mg CR oxymorphone taken with 240 ml water in a fed state. Subjects received the tablets of Example 2 (Treatment 2A) or Example 3 (Treatment 2B). Further subjects were given a single oral dose of 10 mg/10 ml oxymorphone solution in 180 ml apple juice followed with 60 ml water (Treatment 2C). The orally dosed solution was used to simulate an immediate release (IR) dose.

This study had a single-center, open-label, randomized, three-way crossover design using fifteen subjects. The subjects were in a fed state, after a 10-hour overnight fast fol-

14

lowed by a standardized FDA high-fat breakfast. There was a 14-day washout interval between the three dose administrations. The subjects were confined to the clinic during each study period. Subjects receiving Treatment 2C were confined for 18 hours and subjects receiving Treatments 2A or 2B were confined for 48 hours after dosing. Ten-milliliter blood samples were collected during each study period at the 0 hour (predose), and at 0.5, 1, 1.5, 2, 3, 4, 5, 6, 7, 8, 10, 12, 14, 16, 18, 20, 24, 28, 32, 36, and 48 hours postdose for subjects receiving Treatment 2A or 2B and 0, 0.25, 0.5, 0.75, 1, 1.25, 1.5, 1.75, 2, 2.5, 3, 4, 5, 6, 7, 8, 10, 12, 14, 16, and 18 hours postdose. The mean plasma concentration of oxymorphone versus time for each treatment across all subjects is shown in table 9.

TABLE 9

Mean Plasma Concentration vs. Time (ng/ml)				
Time (hr)	Treatment 2A	Treatment 2B	Treatment 2C	
0	0.000	0.000	0.0000	
0.25			1.263	
0.5	0.396	.0553	1.556	
0.75			1.972	
1	0.800	1.063	1.796	
1.25			1.795	
1.5	1.038	1.319	1.637	
1.75			1.467	
2	1.269	1.414	1.454	
2.5			1.331	
3	1.328	1.540	1.320	
4	1.132	1.378	1.011	
5	1.291	1.609	0.731	
6	1.033	1.242	0.518	
7	0.941	0.955	0.442	
8	0.936	0.817	0.372	
10	0.669	0.555	0.323	
12	0.766	0.592	0.398	
14	0.641	0.519	0.284	
16	0.547	0.407	0.223	
18	0.453	0.320	0.173	
20	0.382	0.280		
24	0.315	0.254		
28	0.352	0.319		
32	0.304	0.237		
36	0.252	0.207		
48	0.104	0.077		

The results are shown graphically in FIG. 6. Again, the results have been normalized to a 20 mg dosage. As with Study 1, the immediate release liquid of Treatment 2C shows a classical curve, with a high and relatively narrow peak, followed by an exponential drop in plasma concentration, while the controlled release oxymorphone tablets exhibit triple peaks in blood plasma concentration. Thus, again when we refer to the time to peak plasma concentration (T_{max}) unless otherwise specified, we refer to the time to the second peak.

TABLE 10

Pharmacokinetic Parameters of Plasma Oxymorphone for Study 2						
	Treatment 2A		Treatment 2B		Treatment 2C	
	Mean	SD	Mean	SD	Mean	SD
C_{max}	1.644	0.365	1.944	0.465	4.134	0.897
T_{max}	3.07	1.58	2.93	1.64	0.947	0.313
$AUC_{(0-t)}$	22.89	5.486	21.34	5.528	21.93	5.044

US 8,309,122 B2

15

TABLE 10-continued

Pharmacokinetic Parameters of Plasma Oxymorphone for Study 2						
	Treatment 2A		Treatment 2B		Treatment 2C	
	Mean	SD	Mean	SD	Mean	SD
AUC _(0-inf)	25.28	5.736	23.62	5.202	24.73	6.616
T _{1/2el}	12.8	3.87	11.0	3.51	5.01	2.02

Units:
C_{max} in ng/ml,
T_{max} in hours,
AUC in ng * hr/ml,
T_{1/2el} in hours.

In Table 10, the T_{max} has a large standard deviation due to the two comparable peaks in blood plasma concentration. Relative bioavailability determinations are set forth in Tables 11 and 12.

TABLE 11

Relative Bioavailability Determination Based on AUC _(0-inf)		
F _{rel} (2A vs. 2C)	F _{rel} (2B vs. 2C)	F _{rel} (2A vs. 2B)
1.052 ± 0.187	0.949 ± 0.154	1.148 ± 0.250

TABLE 12

Relative bioavailability Determination Based on AUC ₍₀₋₁₈₎		
F _{rel} (2A vs. 2C)	F _{rel} (2B vs. 2C)	F _{rel} (2A vs. 2B)
0.690 ± 0.105	0.694 ± 0.124	1.012 ± 0.175

As may be seen from tables 5 and 10 and FIGS. 1 and 2, the C_{max} for the CR tablets (treatments 1A, 1B, 2A and 2B) is considerably lower, and the T_{max} much higher than for the immediate release oxymorphone. The blood plasma level of oxymorphone remains high well past the 8 (or even the 12) hour dosing interval desired for an effective controlled release tablet.

Study 3—One Controlled Release Formulation; Fed and Fasted Patients

This study had a single-center, open-label, analytically blinded, randomized, four-way crossover design. Subjects randomized to Treatment 3A and Treatment 3C, as described below, were in a fasted state following a 10-hour overnight fast. Subjects randomized to Treatment 3B and Treatment 3D, as described below, were in the fed state, having had a high fat meal, completed ten minutes prior to dosing. There was a 14-day washout interval between the four dose administrations. The subjects were confined to the clinic during each study period. Subjects assigned to receive Treatment 3A and Treatment 3B were discharged from the clinic on Day 3 following the 48-hour procedures, and subjects assigned to receive Treatment 3C and Treatment 3D were discharged from the clinic on Day 2 following the 36-hour procedures. On Day 1 of each study period the subjects received one of four treatments:

Treatments 3A and 3B: Oxymorphone controlled release 20 mg tablets from Example 3. Subjects randomized to Treatment 3A received a single oral dose of one 20 mg oxymorphone controlled release tablet taken with 240 ml of water after a 10-hour fasting period. Subjects randomized to Treatment 3B received a single oral dose of one 20 mg oxymorphone controlled release tablet taken with 240 ml of water 10 minutes after a standardized high fat meal.

16

Treatments 3C and 3D: oxymorphone HCl solution, USP, 1.5 mg/ml 10 ml vials. Subjects randomized to Treatment 3C received a single oral dose of 10 mg (6.7 ml) oxymorphone solution taken with 240 ml of water after a 10-hour fasting period. Subjects randomized to Treatment 3D received a single oral dose of 10 mg (6.7 ml) oxymorphone solution taken with 240 ml of water 10 minutes after a standardized high-fat meal.

A total of 28 male subjects were enrolled in the study, and 24 subjects completed the study. The mean age of the subjects was 27 years (range of 19 through 38 years), the mean height of the subjects was 69.6 inches (range of 64.0 through 75.0 inches), and the mean weight of the subjects was 169.0 pounds (range 117.0 through 202.0 pounds).

A total of 28 subjects received at least one treatment. Only subjects who completed all 4 treatments were included in the summary statistics and statistical analysis.

Blood samples (7 ml) were collected during each study period at the 0 hour (predose), and at 0.5, 1, 1.5, 2, 3, 4, 5, 6, 8, 10, 12, 14, 16, 20, 24, 30, 36, and 48 hours post-dose (19 samples) for subjects randomized to Treatment 3A and Treatment 3B. Blood samples (7 ml) were collected during each study period at the 0 hour (predose), and at 0.25, 0.5, 0.75, 1, 1.25, 1.5, 1.75, 2, 3, 4, 5, 6, 8, 10, 12, 14, 16, 20, and 36 hours post-dose (21 samples) for subjects randomized to Treatment 3C and Treatment 3D.

The mean oxymorphone plasma concentration versus time curves for Treatments 3A, 3B, 3C, and 3D are presented in FIG. 7. The results have been normalized to a 20 mg dosage. The data is contained in Table 13. The arithmetic means of the plasma oxymorphone pharmacokinetic parameters and the statistics for all Treatments are summarized in Table 14.

TABLE 13

Mean Plasma Concentration vs. Time (ng/ml)				
Time (hr)	Treatment 3A	Treatment 3B	Treatment 3C	Treatment 3D
0	0.0084	0.0309	0.0558	0.0000
0.25			0.5074	0.9905
0.5	0.3853	0.3380	0.9634	1.0392
0.75			0.9753	1.3089
1	0.7710	0.7428	0.8777	1.3150
1.25			0.8171	1.2274
1.5	0.7931	1.0558	0.7109	1.1638
1.75			0.6357	1.0428
2	0.7370	1.0591	0.5851	0.9424
3	0.6879	0.9858	0.4991	0.7924
4	0.6491	0.9171	0.3830	0.7277
5	0.9312	1.4633	0.3111	0.6512
6	0.7613	1.0441	0.2650	0.4625
8	0.5259	0.7228	0.2038	0.2895
10	0.4161	0.5934	0.1768	0.2470
12	0.5212	0.5320	0.2275	0.2660
14	0.4527	0.4562	0.2081	0.2093
16	0.3924	0.3712	0.1747	0.1623
20	0.2736	0.3021	0.1246	0.1144
24	0.2966	0.2636	0.1022	0.1065
30	0.3460	0.3231		
36	0.2728	0.2456	0.0841	0.0743
48	0.1263	0.1241		

US 8,309,122 B2

17

TABLE 14

Pharmacokinetic Parameters of Plasma Oxymorphone for Study 3								
	Treatment 3B		Treatment 3A		Treatment 3C		Treatment 3D	
	Mean	SD	Mean	SD	Mean	SD	Mean	SD
C_{max}	1.7895	0.6531	1.1410	0.4537	2.2635	1.0008	3.2733	1.3169
T_{max}	5.56	9.39	5.57	7.14	0.978	1.14	1.11	0.768
$AUC_{(0-24)}$	14.27	4.976	11.64	3.869	12.39	4.116	17.30	5.259
$AUC_{(0-t)}$	19.89	6.408	17.71	8.471	14.53	4.909	19.20	6.030
$AUC_{(0-inf)}$	21.29	6.559	19.29	5.028	18.70	6.618	25.86	10.03
$T_{1/2el}$	12.0	3.64	12.3	3.99	16.2	11.4	20.6	19.3

The relative bioavailability calculations are summarized in tables 15 and 16.

TABLE 15

Relative Bioavailability Determination Based on $AUC_{(0-inf)}$			
F_{rel} (3A vs. 3C)	F_{rel} (3B vs. 3D)	F_{rel} (3D vs. 3C)	F_{rel} (3B vs. 3A)
1.040 ± 0.1874	0.8863 ± 0.2569	1.368 ± 0.4328	1.169 ± 0.2041

TABLE 16

Relative Bioavailability Determination Based on $AUC_{(0-24)}$			
F_{rel} (3A vs. 3C)	F_{rel} (3B vs. 3D)	F_{rel} (3D vs. 3C)	F_{rel} (3B vs. 3A)
0.9598 ± 0.2151	0.8344 ± 0.100	1.470 ± 0.3922	1.299 ± 0.4638

The objectives of this study were to assess the relative bioavailability of oxymorphone from oxymorphone controlled release (20 mg) compared to oxymorphone oral solution (10 mg) under both fasted and fed conditions, and to determine the effect of food on the bioavailability of oxymorphone from the controlled release formulation, oxymorphone CR, and from the oral solution.

The presence of a high fat meal had a substantial effect on the oxymorphone C_{max} , but less of an effect on oxymorphone AUC from oxymorphone controlled release tablets. Least Squares (LS) mean C_{max} was 58% higher and LS mean $AUC_{(0-t)}$ and $AUC_{(0-inf)}$ were 18% higher for the fed condition (Treatment B) compared to the fasted condition (Treatment A) based on LN-transformed data. This was consistent with the relative bioavailability determination from $AUC_{(0-inf)}$ since mean F_{rel} was 1.17. Mean T_{max} values were similar (approximately 5.6 hours), and no significant difference in T_{max} was shown using nonparametric analysis. Half value durations were significantly different between the two treatments.

The effect of food on oxymorphone bioavailability from the oral solution was more pronounced, particularly in terms of AUC. LS mean C_{max} was 50% higher and LS mean $AUC_{(0-t)}$ and $AUC_{(0-inf)}$ were 32-34% higher for the fed condition (Treatment D) compared to the fasted condition (Treatment C) based on LN-transformed data. This was consistent with the relative bioavailability determination from $AUC_{(0-inf)}$ since mean F_{rel} was 1.37. Mean T_{max} (approximately 1 hour) was similar for the two treatments and no significant difference was shown.

Under fasted conditions, oxymorphone controlled release 20 mg tablets exhibited similar extent of oxymorphone availability compared to 10 mg oxymorphone oral solution normalized to a 20 mg dose (Treatment A versus Treatment C).

18

From LN-transformed data, LS mean $AUC_{(0-t)}$ was 17% higher for oxymorphone CR, whereas LS mean $AUC_{(0-inf)}$ values were nearly equal (mean ratio=99%). Mean F_{rel} values calculated from $AUC_{(0-inf)}$ and $AUC_{(0-24)}$, (1.0 and 0.96, respectively) also showed similar extent of oxymorphone availability between the two treatments.

As expected, there were differences in parameters reflecting rate of absorption. LS mean C_{max} was 49% lower for oxymorphone controlled release tablets compared to the dose-normalized oral solution, based on LN-transformed data. Half-value duration was significantly longer for the controlled release formulation (means, 12 hours versus 2.5 hours).

Under fed conditions, oxymorphone availability from oxymorphone controlled release 20 mg was similar compared to 10 mg oxymorphone oral solution normalized to a 20 mg dose (Treatment B versus Treatment D). From LN-transformed data, LS mean $AUC_{(0-inf)}$ was 12% lower for oxymorphone CR. Mean F_{rel} values calculated from $AUC_{(0-inf)}$ and $AUC_{(0-24)}$, (0.89 and 0.83 respectively) also showed similar extent of oxymorphone availability from the tablet. As expected, there were differences in parameters reflecting rate of absorption. LS mean C_{max} was 46% lower for oxymorphone controlled release tablets compared to the dose-normalized oral solution, based on LN-transformed data. Mean T_{max} was 5.7 hours for the tablet compared to 1.1 hours for the oral solution. Half-value duration was significantly longer for the controlled release formulation (means, 7.8 hours versus 3.1 hours).

The presence of a high fat meal did not appear to substantially affect the availability of 6-hydroxyoxymorphone following administration of oxymorphone controlled release tablets. LS mean ratios were 97% for $AUC_{(0-t)}$ and 91% for C_{max} (Treatment B versus A), based on LN-transformed data. This was consistent with the relative bioavailability determination from $AUC_{(0-24)}$, since mean F_{rel} was 0.97. Mean T_{max} was later for the fed treatment compared to the fasted treatment (5.2 and 3.6 hours, respectively), and difference was significant.

Under the fasted conditions, oxymorphone controlled release 20 mg tablets exhibited similar availability of 6-hydroxyoxymorphone compared to 10 mg oxymorphone oral solution normalized to a 20 mg dose (Treatment A versus Treatment C). From LN-transformed data, LS mean ratio for $AUC_{(0-t)}$ was 104.5%. Mean F_{rel} (0.83) calculated from $AUC_{(0-24)}$ also showed similar extent of oxymorphone availability between the two treatments. Mean T_{max} was 3.6 hours for the tablet compared to 0.88 for the oral solution. Half-values duration was significantly longer for the controlled release formulation (means, 11 hours versus 2.2 hours).

Under fed conditions, availability of 6-hydroxyoxymorphone from oxymorphone controlled release 20 mg was similar compared to 10 mg oxymorphone oral solution normal-

US 8,309,122 B2

19

ized to a 20 mg dose (Treatment B versus Treatment D). From LN-transformed data, LS mean $AUC_{(0-t)}$ was 14% higher for oxymorphone CR. Mean F_{rel} (0.87) calculated from $AUC_{(0-24)}$ also indicted similar extent of availability between the treatments. Mean T_{max} was 5.2 hours for the tablet compared to 1.3 hour for the oral solution. Half-value duration was significantly longer for the controlled release formulation (means, 14 hours versus 3.9 hours).

The extent of oxymorphone availability from oxymorphone controlled release 20 mg tablets was similar under fed and fasted conditions since there was less than a 20% difference in LS mean $AUC_{(0-t)}$ and $AUC_{(0-inf)}$ values for each treatment, based on LN-transformed data. T_{max} was unaffected by food; however, LS mean C_{max} was increased 58% in the presence of the high fat meal. Both rate and extent of oxymorphone absorption from the oxymorphone oral solution were affected by food since LS mean C_{max} and AUC values were increased approximately 50 and 30%, respectively. T_{max} was unaffected by food. Under both fed and fasted conditions, oxymorphone controlled release tablets exhibited similar extent of oxymorphone availability compared to oxymorphone oral solution since there was less than a 20% difference in LS mean $AUC_{(0-t)}$ and $AUC_{(0-inf)}$ values for each treatment.

Bioavailability of 6-hydroxyoxymorphone following oxymorphone controlled release 20 mg tablets was also similar under fed and fasted conditions since there was less than a 20% difference in LS mean C_{max} and AUC values for each treatment. T_{max} was later for the fed condition. The presence of food did not affect the extent

20

TABLE 17-continued

Mean Plasma Concentration vs. Time (ng/ml)					
6-Hydroxyoxymorphone					
Time (hr)	Treatment 3A	Treatment 3B	Treatment 3C	Treatment 3D	
1	1.0233	0.4830	1.1072	0.8080	
1.25			1.0069	0.7266	
1.5	1.1062	0.7456	0.8494	0.7001	
1.75			0.7511	0.6472	
2	1.0351	0.7898	0.6554	0.5758	
3	0.9143	0.7619	0.6196	0.5319	
4	0.8522	0.7607	0.4822	0.5013	
5	0.8848	0.8548	0.3875	0.4448	
6	0.7101	0.7006	0.3160	0.3451	
8	0.5421	0.5681	0.2525	0.2616	
10	0.4770	0.5262	0.2361	0.2600	
12	0.4509	0.4454	0.2329	0.2431	
14	0.4190	0.4399	0.2411	0.2113	
16	0.4321	0.4230	0.2385	0.2086	
20	0.3956	0.4240	0.2234	0.1984	
24	0.4526	0.4482	0.2210	0.2135	
30	0.4499	0.4708			
36	0.3587	0.3697	0.1834	0.1672	
48	0.3023	0.3279			

TABLE 18

Pharmacokinetic Parameters of Plasma 6-Hydroxyoxymorphone for Study 3								
	Treatment 3A		Treatment 3B		Treatment 3C		Treatment 3D	
	Mean	SD	Mean	SD	Mean	SD	Mean	SD
C_{max}	1.2687	0.5792	1.1559	0.4848	1.5139	0.7616	0.9748	0.5160
T_{max}	3.61	7.17	5.20	9.52	0.880	0.738	1.30	1.04
$AUC_{(0-t)}$	22.47	10.16	22.01	10.77	10.52	4.117	9.550	4.281
$AUC_{(0-inf)}$	38.39	23.02	42.37	31.57	20.50	7.988	23.84	11.37
$T_{1/2el}$	39.1	36.9	39.8	32.6	29.3	12.0	44.0	35.00

of availability from oxymorphone oral solution since LS mean AUC values were less than 20% different. However, C_{max} was decreased 35% in the presence of food. T_{max} was unaffected by food. Under both fed and fasted conditions, oxymorphone controlled release tablets exhibited similar extent availability compared to oxymorphone oral solution since there was less than a 20% difference in LS mean AUC values for each treatment.

The mean 6-OH oxymorphone plasma concentration versus time curves for Treatments 3A, 3B, 3C, and 3D are presented in FIG. 8. The data is contained in Table 17.

TABLE 17

Mean Plasma Concentration vs. Time (ng/ml)				
6-Hydroxyoxymorphone				
Time (hr)	Treatment 3A	Treatment 3B	Treatment 3C	Treatment 3D
0	0.0069	0.0125	0.0741	0.0000
0.25			0.7258	0.4918
0.5	0.5080	0.1879	1.2933	0.5972
0.75			1.3217	0.7877

Study 4—Controlled Release 20 mg vs. Immediate Release 10 mg

A study was conducted to compare the bioavailability and pharmacokinetics of controlled release and immediate release oxymorphone tablets under single-dose and multiple-dose (steady state) conditions. For the controlled release study, healthy volunteers received a single dose of a 20 mg controlled release oxymorphone tablet on the morning of Day 1. Beginning on the morning of Day 3, the volunteers were administered a 20 mg controlled release oxymorphone tablet every 12 hours through the morning dose of Day 9. For the immediate release study, healthy volunteers received a single 10 mg dose of an immediate release oxymorphone tablet on the morning of Day 1. On the morning of Day 3, additional 10 mg immediate release tablets were administered every six hours through the first two doses on Day 9.

FIG. 9 shows the average plasma concentrations of oxymorphone and 6-hydroxyoxymorphone for all subjects after a single dose either controlled release (CR) 20 mg or immediate release (IR) 10 mg oxymorphone. The data in the figure (as with the other relative experimental data herein) is normalized to a 20 mg dose. The immediate release tablet shows a classical curve, with a high, relatively narrow peak followed

US 8,309,122 B2

21

by an exponential drop in plasma concentration. The controlled release oxymorphone tablets show a lower peak with extended moderate levels of oxymorphone and 6-hydroxy oxymorphone. Table 19 shows the levels of oxymorphone and 6-hydroxy oxymorphone from FIG. 9 in tabular form.

TABLE 19

Mean Plasma Concentration (ng/ml)				
Hour	Oxymorphone		6-Hydroxyoxymorphone	
	Controlled Release 20 mg	Immediate Release 10 mg	Controlled Release 20 mg	Immediate Release 10 mg
0.00	0.00	0.00	0.00	0.00
0.25	0.22	1.08	0.14	0.73
0.50	0.59	1.69	0.45	1.22
1.00	0.77	1.19	0.53	0.79
1.50	0.84	0.91	0.53	0.57
2.00	0.87	0.75	0.60	0.47
3.00	0.83	0.52	0.55	0.34
4.00	0.73	0.37	0.53	0.27
5.00	0.94	0.36	0.46	0.23
6.00	0.81	0.28	0.41	0.18
8.00	0.73	0.20	0.37	0.14
10.0	0.60	0.19	0.35	0.15
12.0	0.67	0.25	0.32	0.13
16.0	0.39	0.16	0.29	0.13
24.0	0.23	0.07	0.29	0.13
30.0	0.12	0.01	0.17	0.04
36.0	0.05	0.00	0.11	0.00
48.0	0.00	0.00	0.07	0.01

FIG. 10 shows the average plasma concentrations of oxymorphone and 6-hydroxyoxymorphone for all subjects in the steady state test, for doses of controlled release 20 mg tablets and immediate release 10 mg tablets of oxymorphone. The figure shows the plasma concentrations after the final controlled release tablet is given on Day 9, and the final immediate release tablet is given 12 hours thereafter. The steady state administration of the controlled release tablets clearly shows a steady moderate level of oxymorphone ranging from just over 1 ng/ml to almost 1.75 ng/ml over the course of a twelve hour period, where the immediate release tablet shows wide variations in blood plasma concentration. Table 20 shows the levels of oxymorphone and 6-hydroxyoxymorphone from FIG. 10 in tabular form.

TABLE 20

Summary of Mean Plasma Concentration (ng/ml)					
Day	Hour	Oxymorphone		6-Hydroxyoxymorphone	
		Controlled Release 20 mg	Immediate Release 10 mg	Controlled Release 20 mg	Immediate Release 10 mg
4	0.00	1.10	0.75	0.89	0.72
5	0.00	1.12	0.84	1.15	0.88
6	0.00	1.20	0.92	1.15	0.87
7	0.00	1.19	0.91	1.27	1.00
8	0.00	1.19	0.86	1.29	0.98
9	0.00	1.03	1.07	1.09	1.05
	0.25		2.64		1.70
	0.50		3.12	1.50	2.09
	1.00		2.47	1.70	1.68
	1.50		2.05	1.63	1.55
	2.00		1.78	1.64	1.30
	3.00		1.27	1.47	1.11
	4.00		0.98	1.39	0.98
	5.00		1.01	1.21	0.89
	6.00		0.90	1.06	0.84
	6.25		1.17		0.88

22

TABLE 20-continued

Summary of Mean Plasma Concentration (ng/ml)					
Day	Hour	Oxymorphone		6-Hydroxyoxymorphone	
		Controlled Release 20 mg	Immediate Release 10 mg	Controlled Release 20 mg	Immediate Release 10 mg
10	6.50		1.88		1.06
	7.00		2.12		1.20
	7.50		2.24		1.15
	8.00	1.32	2.01	0.97	1.03
	9.00		1.52		0.90
	10.0	1.32	1.24	0.85	0.84
15	11.0		1.11		0.74
	12.0	1.18	0.96	0.79	0.70

TABLE 21

Mean Single-Dose Pharmacokinetic Results				
	Controlled Release 20 mg		Immediate Release 10 mg	
	oxy-morphone	6-OH-oxymorphone	oxy-morphone	6-OH-oxymorphone
AUC _(0-t)	14.74	11.54	7.10	5.66
AUC _(0-inf)	15.33	16.40	7.73	8.45
C _{max} (ng/ml)	1.12	0.68	1.98	1.40
T _{max} (hr)	5.00	2.00	0.50	0.50
T _{1/2} (hr)	9.25	26.09	10.29	29.48

Parent 6-OH oxymorphone AUC_(0-t) values were lower than the parent compound after administration of either dosage form, but the AUC_(0-inf) values are slightly higher due to the longer half-life for the metabolite. This relationship was similar for both the immediate-release (IR) and controlled release (CR) dosage forms. As represented by the average plasma, concentration graph, the CR dosage form has a significantly longer time to peak oxymorphone concentration and a lower peak oxymorphone concentration. The 6-OH oxymorphone peak occurred sooner than the parent peak following the CR dosage form, and simultaneously with the parent peak following the IR dosage form.

It is important to note that while the present invention is described and exemplified, using 20 mg tablets, the invention may also be used with other strengths of tablets. In each strength, it is important to note how a 20 mg tablet of the same composition (except for the change in strength) would act. The blood plasma levels and pain intensity information are provided for 20 mg tablets, however the present invention is also intended to encompass 5 to 80 mg controlled release tablets. For this reason, the blood plasma level of oxymorphone or 6-hydroxyoxymorphone in nanograms per milliliter of blood, per mg oxymorphone (ng/mg·ml) administered is measured. Thus at 0.02 ng/mg·ml, a 5 mg tablet should produce a minimum blood plasma concentration of 0.1 ng/ml. A stronger tablet will produce a higher blood plasma concentration of active molecule, generally proportionally. Upon administration of a higher dose tablet, for example 80 mg, the blood plasma level of oxymorphone and 6-OH oxymorphone may more than quadruple compared to a 20 mg dose, although conventional treatment of low bioavailability substances would lead away from this conclusion. If this is the case, it may be because the body can only process a limited amount oxymorphone at one time. Once the bolus is processed, the blood level of oxymorphone returns to a proportional level.

US 8,309,122 B2

23

It is the knowledge that controlled release oxymorphone tablets are possible to produce and effective to use, which is most important, made possible with the high bioavailability of oxymorphone in a controlled release tablet. This also holds true for continuous periodic administration of controlled release formulations. The intent of a controlled release opioid formulation is the long-term management of pain. Therefore, the performance of a composition when administered periodically (one to three times per day) over several days is important. In such a regime, the patient reaches a “steady state” where continued administration will produce the same results, when measured by duration of pain relief and blood plasma levels of pharmaceutical. Such a test is referred to as a “steady state” test and may require periodic administration over an extended time period ranging from several days to a week or more. Of course, since a patient reaches steady state in such a test, continuing the test for a longer time period should not affect the results. Further, when testing blood plasma levels in such a test, if the time period for testing exceeds the interval between doses, it is important the regimen be stopped after the test is begun so that observations of change in blood level and pain relief may be made without a further dose affecting these parameters.

Study 5—Controlled Release 40 mg vs. Immediate Release 4.times.10 mg under Fed and Fasting Conditions

The objectives of this study were to assess the relative bioavailability of oxymorphone from oxymorphone controlled release (40 mg) compared to oxymorphone immediate release (4.times. 10 mg) under both fasted and fed conditions, and to determine the effect of food on the bioavailability of oxymorphone from the controlled release formulation, oxymorphone CR, and from the immediate release formulation, oxymorphone IR.

This study had a single-center, open-label, analytically blinded, randomized, four-way crossover design. Subjects randomized to Treatment 5A and Treatment 5C, as described below, were in a fasted state following a 10-hour overnight fast. Subjects randomized to Treatment 5B and Treatment 5D, as described below, were in the fed state, having had a high fat meal, completed ten minutes prior to dosing. There was a 14-day washout interval between the four dose administrations. The subjects were confined to the clinic during each study period. Subject assigned to receive Treatment 5A and Treatment 5B were discharged from the clinic on Day 3 following the 48-hour procedures, and subjects assigned to receive Treatment 5C and Treatment 5D were discharged from the clinic on Day 2 following the 36-hour procedures. On Day 1 of each study period the subjects received one of four treatments:

Treatments 5A and 5B: Oxymorphone controlled release 40 mg tablets from Table 2. Subjects randomized to Treatment 5A received a single oral dose of one 40 mg oxymorphone controlled release tablet taken with 240 ml of water after a 10-hour fasting period. Subjects randomized to Treatment 5B received a single oral dose of one 40 mg oxymorphone controlled release tablet taken with 240 ml of water 10 minutes after a standardized high fat meal.

Treatments 5C and 5D: Immediate release tablet (IR) 4.times.10 mg Oxymorphone. Subjects randomized to Treatment 5C received a single oral dose of 4.times.10 mg oxymorphone IR tablet taken with 240 ml of water after a 10-hour fasting period. Subjects randomized to Treatment 5D received a single oral dose of 4.times.10 mg oxymorphone IR tablet taken with 240 ml of water 10 minutes after a standardized high-fat meal.

A total of 28 male subjects were enrolled in the study, and 25 subjects completed the study. A total of 28 subjects

24

received at least one treatment. Only subjects who completed all 4 treatments were included in the summary statistics and statistical analysis.

Blood samples (7 ml) were collected during each study period at the 0 hour (predose), and at 0.25, 0.5, 0.75, 1.0, 1.5, 2, 3, 4, 5, 6, 8, 10, 12, 24, 36, 48, 60, and 72 hours post-dose (19 samples) for subjects randomized to all Treatments.

The mean oxymorphone plasma concentration versus time is presented in Table 22. The arithmetic means of the plasma oxymorphone pharmacokinetic parameters and the statistics for all Treatments are summarized in Table 23.

TABLE 22

Mean Plasma Concentration vs. Time (ng/ml)				
Time (hr)	Treatment 5A	Treatment 5B	Treatment 5C	Treatment 5D
0	0.00	0.00	0.00	0.00
0.25	0.47	0.22	3.34	1.79
0.50	1.68	0.97	7.28	6.59
0.75	1.92	1.90	6.60	9.49
1	2.09	2.61	6.03	9.91
1.5	2.18	3.48	4.67	8.76
2	2.18	3.65	3.68	7.29
3	2.00	2.86	2.34	4.93
4	1.78	2.45	1.65	3.11
5	1.86	2.37	1.48	2.19
6	1.67	2.02	1.28	1.71
8	1.25	1.46	0.92	1.28
10	1.11	1.17	0.78	1.09
12	1.34	1.21	1.04	1.24
24	0.55	0.47	0.40	0.44
36	0.21	0.20	0.16	0.18
48	0.06	0.05	0.04	0.05
60	0.03	0.01	0.01	0.01
72	0.00	0.00	0.00	0.00

TABLE 23

Pharmacokinetic Parameters of Plasma Oxymorphone for Study 5								
	Treatment 5A		Treatment 5B		Treatment 5C		Treatment 5D	
	Mean	SD	Mean	SD	Mean	SD	Mean	SD
C_{max}	2.79	0.84	4.25	1.21	9.07	4.09	12.09	5.42
T_{max}	2.26	2.52	1.96	1.06	0.69	0.43	1.19	0.62
$AUC_{(0-t)}$	35.70	10.58	38.20	11.04	36.00	12.52	51.35	20.20
$AUC_{(0-inf)}$	40.62	11.38	41.17	10.46	39.04	12.44	54.10	20.26
$T_{1/2el}$	12.17	7.57	10.46	5.45	11.65	6.18	9.58	3.63

The relative bioavailability calculations are summarized in Tables 24 and 25.

TABLE 24

Relative Bioavailability Determination Based on $AUC_{(0-inf)}$	
F_{rel} (5D vs. 5C)	F_{rel} (5B vs. 5A)
1.3775	1.0220

TABLE 25

Relative bioavailability Determination Based on $AUC_{(0-24)}$	
F_{rel} (5D vs. 5C)	F_{rel} (5B vs. 5A)
1.4681	1.0989

US 8,309,122 B2

25

The mean 6-OH oxymorphone plasma concentration versus time is presented in Table 26.

TABLE 26

Mean Plasma Concentration vs. Time (ng/ml) 6-Hydroxyoxymorphone				
Time (hr)	Treatment 5A	Treatment 5B	Treatment 5C	Treatment 5D
0	0.00	0.00	0.00	0.00
0.25	0.27	0.05	2.36	0.50
0.50	1.32	0.31	5.35	1.98
0.75	1.37	0.59	4.53	2.97
1	1.44	0.82	3.81	2.87
1.5	1.46	1.09	2.93	2.58
2	1.46	1.28	2.37	2.29
3	1.39	1.14	1.69	1.72
4	1.25	1.14	1.33	1.26
5	1.02	1.00	1.14	1.01
6	0.93	0.86	0.94	0.86
8	0.69	0.72	0.73	0.77
10	0.68	0.67	0.66	0.75
12	0.74	0.66	0.70	0.77
24	0.55	0.52	0.54	0.61
36	0.23	0.30	0.28	0.27
48	0.18	0.20	0.20	0.19
60	0.09	0.10	0.09	0.09
72	0.06	0.06	0.04	0.05

TABLE 27

Pharmacokinetic Parameters of Plasma 6-Hydroxyoxymorphone for Study 5								
	Treatment 5A		Treatment 5B		Treatment 5C		Treatment 5D	
	Mean	SD	Mean	SD	Mean	SD	Mean	SD
C_{max}	1.88	0.69	1.59	0.63	6.41	3.61	3.79	1.49
T_{max}	1.48	1.18	2.73	1.27	0.73	0.47	1.18	0.74
$AUC_{(0-t)}$	28.22	10.81	26.95	11.39	33.75	10.29	32.63	13.32
$AUC_{(0-inf)}$	33.15	11.25	32.98	10.68	37.63	17.01	36.54	13.79
$T_{1/2el}$	17.08	7.45	21.92	8.41	16.01	6.68	16.21	7.42

The above description incorporates preferred embodiments and examples as a means of describing and enabling the invention to be practiced by one of skill in the art. It is imagined that changes can be made without departing from the spirit and scope of the invention described herein and defined in the appended claims.

We claim:

1. An analgesically effective controlled release pharmaceutical composition with a twelve hour dosing interval in the form of a tablet, comprising oxymorphone or a pharmaceutically acceptable salt thereof as the sole active ingredient in the tablet, and a controlled release delivery system comprising at least one pharmaceutical excipient, wherein upon placement of the composition in an in vitro dissolution test comprising USP Paddle Method at 50 rpm in 500 ml media having a pH of 1.2 to 6.8 at 37° C., about 15% to about 50%, by weight, of the oxymorphone or salt thereof is released from the tablet at about 1 hour in the test.

2. The pharmaceutical composition of claim 1 wherein about 45% to about 80%, by weight, of the oxymorphone or salt thereof is released from the tablet at about 4 hours in the test.

3. The pharmaceutical composition of claim 1 wherein at least about 80%, by weight, of the oxymorphone or salt thereof is released from the tablet at about 10 hours in the test.

26

4. The pharmaceutical composition of claim 1 wherein the controlled release delivery system comprises a hydrophilic material that forms a gel upon exposure to gastrointestinal fluid.

5. The pharmaceutical composition of claim 1 wherein the controlled release delivery system comprises a heteropolysaccharide and an agent capable of cross-linking the heteropolysaccharide in presence of gastrointestinal fluid.

6. The pharmaceutical composition of claim 5 wherein the heteropolysaccharide and the agent capable of cross-linking the heteropolysaccharide are present in a weight ratio of about 1:3 to about 3:1.

7. The pharmaceutical composition of claim 5 wherein the heteropolysaccharide comprises xanthan gum or deacylated xanthan gum.

8. The pharmaceutical composition of claim 5 wherein the agent capable of cross-linking the heteropolysaccharide comprises a homopolysaccharide gum.

9. The pharmaceutical composition of claim 8 wherein the homopolysaccharide gum comprises locust bean gum.

10. The pharmaceutical composition of claim 1 wherein the controlled release delivery system further comprises a hydrophobic polymer.

11. The pharmaceutical composition of claim 10 wherein the hydrophobic polymer comprises an alkylcellulose.

12. The pharmaceutical composition of claim 8 further comprising a cationic cross-linking agent.

13. The pharmaceutical composition of claim 12 wherein the cationic cross-linking agent is selected from calcium sulfate, sodium chloride, potassium sulfate, sodium carbonate, lithium chloride, tripotassium phosphate, sodium borate, potassium bromide, potassium fluoride, sodium bicarbonate, calcium chloride, magnesium chloride, sodium citrate, sodium acetate, calcium lactate, magnesium sulfate, sodium fluoride, and combinations thereof.

14. The pharmaceutical composition of claim 13 wherein the cationic cross-linking agent is present in an amount of about 0.5% to about 16%, by weight of the composition.

15. The pharmaceutical composition of claim 5 wherein the weight ratio of heteropolysaccharide to oxymorphone or pharmaceutically acceptable salt thereof is about 10:1 to about 1:10.

16. The pharmaceutical composition of claim 1 wherein oxymorphone or pharmaceutically acceptable salt thereof is present in an amount of about 5 mg to about 80 mg.

17. The pharmaceutical composition of claim 5 wherein the controlled release delivery system comprises about 10% to about 99% of a gelling agent comprising a heteropolysaccharide gum and a homopolysaccharide gum, about 1% to about 20% of a cationic crosslinking agent, and about 0% to about 89% of other ingredients which qualify as an inert pharmaceutical diluent, by total weight of the controlled release delivery system.

18. A method of treating pain in a subject in need thereof, the method comprising administering to the subject the pharmaceutical composition of claim 1 comprising about 5 mg to about 80 mg of oxymorphone or pharmaceutically acceptable salt thereof.

19. An analgesically effective controlled release pharmaceutical composition with a twelve hour dosing interval in the form of a tablet, comprising oxymorphone or pharmaceutically acceptable salt thereof as the sole active ingredient in the tablet and a controlled release delivery system comprising a hydrophilic material that forms a gel upon exposure to gastrointestinal fluid, wherein upon placement of the composition in an in vitro dissolution test comprising USP Paddle Method at 50 rpm in 500 ml media having a pH of 1.2 to 6.8

US 8,309,122 B2

27

at 37° C., about 15% to about 50%, by weight, of the oxymorphone or salt thereof is released from the composition at about 1 hour in the test, about 45% to about 80%, by weight, of the oxymorphone or salt thereof is released from the composition at about 4 hours in the test, and at least about 80%, by weight, of the oxymorphone or salt thereof is released from the composition at about 10 hours in the test.

28

20. The method of claim **18** wherein upon oral administration of the composition the oxymorphone $AUC_{(0-inf)}$ is no more than 20% higher when the composition is administered to the subject under fed as compared to fasted conditions.

* * * * *

EXHIBIT C

US008114383B2

(12) **United States Patent**
Bartholomäus et al.(10) **Patent No.:** **US 8,114,383 B2**
(45) **Date of Patent:** ***Feb. 14, 2012**(54) **ABUSE-PROOFED DOSAGE FORM**(75) Inventors: **Johannes Bartholomäus**, Aachen (DE);
Heinrich Kugelmann, Aachen (DE);
Elisabeth Arkenau-Marić, Köln (DE)(73) Assignee: **Gruenenthal GmbH**, Aachen (DE)(*) Notice: Subject to any disclaimer, the term of this
patent is extended or adjusted under 35
U.S.C. 154(b) by 325 days.This patent is subject to a terminal dis-
claimer.(21) Appl. No.: **10/718,112**(22) Filed: **Nov. 20, 2003**(65) **Prior Publication Data**

US 2005/0031546 A1 Feb. 10, 2005

(30) **Foreign Application Priority Data**

Aug. 6, 2003 (DE) 103 36 400

(51) **Int. Cl.**
A61K 49/00 (2006.01)(52) **U.S. Cl.** **424/10.1; 424/10.4**(58) **Field of Classification Search** **424/10.1**
See application file for complete search history.(56) **References Cited**

U.S. PATENT DOCUMENTS

3,806,603 A 4/1974 Gaunt et al.
3,865,108 A 2/1975 Hartop
3,966,747 A 6/1976 Monkovic
3,980,766 A 9/1976 Shaw et al.
4,002,173 A 1/1977 Manning et al.
4,014,965 A 3/1977 Stube et al.
4,070,494 A 1/1978 Hoffmeister et al. 424/2
4,070,497 A 1/1978 Wismer
4,175,119 A * 11/1979 Porter 424/475
4,207,893 A 6/1980 Michaels
4,262,017 A 4/1981 Kuipers
4,343,789 A 8/1982 Kawata et al.
4,353,887 A 10/1982 Hess
4,404,183 A 9/1983 Kawata et al.
4,427,681 A 1/1984 Manshi
4,462,941 A 7/1984 Lee
4,603,143 A 7/1986 Schmidt
4,612,008 A 9/1986 Wong et al. 604/892
4,629,621 A 12/1986 Snipes
4,690,822 A 9/1987 Uemura et al.
4,713,243 A 12/1987 Schiraldi et al.
4,744,976 A 5/1988 Snipes et al.
4,764,378 A 8/1988 Keith et al.
4,765,989 A 8/1988 Wong et al. 424/473
4,774,074 A 9/1988 Snipes
4,783,337 A 11/1988 Wong et al. 424/468
4,806,337 A 2/1989 Snipes et al.
RE33,093 E 10/1989 Schiraldi et al.
4,880,585 A 11/1989 Klimesch
4,892,778 A 1/1990 Theeuwes et al.
4,892,889 A 1/1990 Kirk
4,940,556 A 7/1990 MacFarlane
4,957,668 A 9/1990 Plackard
4,957,681 A 9/1990 Klimesch
4,960,814 A 10/1990 Wu

4,992,278 A 2/1991 Khanna
4,992,279 A 2/1991 Palmer
5,004,601 A 4/1991 Snipes
5,051,261 A 9/1991 McGinity et al.
5,169,645 A 12/1992 Shukla
5,198,226 A 3/1993 MacFarlane
5,200,197 A 4/1993 Wright et al.
5,211,892 A 5/1993 Gueret et al.
5,273,758 A 12/1993 Royce
5,350,741 A 9/1994 Takada
5,378,462 A 1/1995 Boedecker
5,427,798 A 6/1995 Ludwig
RE34,990 E 7/1995 Khanna
5,458,887 A 10/1995 Chen
5,460,826 A 10/1995 Merrill et al.
5,556,640 A 9/1996 Ito et al.
5,562,920 A 10/1996 Demmer et al.
5,601,842 A 2/1997 Bartholomaeus
5,620,697 A 4/1997 Tormala et al.
5,681,517 A 10/1997 Metzger
5,792,474 A 8/1998 Rauchfuss
5,801,201 A 9/1998 Graudums et al.
5,811,126 A 9/1998 Krishnamurthy
5,849,240 A * 12/1998 Miller et al. 264/460
5,866,164 A * 2/1999 Kuczynski et al. 424/472
5,916,584 A 6/1999 O'Donoghue
5,928,739 A 7/1999 Pophusen
5,945,125 A 8/1999 Kim
5,948,787 A 9/1999 Merrill et al.
5,968,925 A 10/1999 Knidlberger
6,009,390 A 12/1999 Gupta et al.
6,009,690 A 1/2000 Rosenberg
6,077,538 A 6/2000 Merrill
6,096,339 A 8/2000 Ayer et al.
6,117,453 A 9/2000 Seth et al.
6,133,241 A 10/2000 Bok
6,228,863 B1 5/2001 Palermo et al.
6,235,825 B1 5/2001 Yoshida
6,238,697 B1 * 5/2001 Kumar et al. 424/464
6,245,357 B1 6/2001 Edgren et al.
6,248,737 B1 6/2001 Buschmann et al.
6,261,599 B1 7/2001 Oshlack
6,306,438 B1 10/2001 Oshlack et al.

(Continued)

FOREIGN PATENT DOCUMENTS

AR 46994 12/2004
(Continued)

OTHER PUBLICATIONS

Zhang et al. (Pharm. Dev. Tech. 1999, 4, 241-250).*

(Continued)

Primary Examiner — Michael G Hartley*Assistant Examiner* — Melissa Perreira(74) *Attorney, Agent, or Firm* — Norris McLaughlin &
Marcus, P.A.(57) **ABSTRACT**

The present invention relates to an abuse-proofed, thermo-
formed dosage form containing, in addition to one or more
active ingredients with abuse potential optionally together
with physiologically acceptable auxiliary substances, at least
one synthetic or natural polymer with a breaking strength of
at least 500 N and to a process for the production thereof.

9 Claims, No Drawings

US 8,114,383 B2

Page 2

U.S. PATENT DOCUMENTS

6,309,668	B1	10/2001	Bastin et al.	424/472	2006/0188447	A1	8/2006	Arkenau-Maric
6,340,475	B2	1/2002	Shell et al.		2006/0193782	A1	8/2006	Bartholomäus
6,344,535	B1	2/2002	Timmermann		2006/0193914	A1	8/2006	Ashworth
6,348,469	B1	2/2002	Seth		2006/0240110	A1	10/2006	Kiick et al.
6,375,963	B1	4/2002	Repka et al.		2007/0003616	A1	1/2007	Arkenau-Maric
6,399,100	B1	6/2002	Clancy et al.		2007/0020188	A1	1/2007	Sackler
6,419,954	B1	7/2002	Chu		2007/0020335	A1	1/2007	Chen et al.
6,436,441	B1	8/2002	Sako et al.		2007/0048228	A1	3/2007	Arkenau-Maric
6,461,644	B1	10/2002	Jackson		2007/0065365	A1	3/2007	Kugelman
6,488,962	B1	12/2002	Berner et al.		2007/0092573	A1	4/2007	Joshi et al.
6,488,963	B1	12/2002	McGinity et al.		2007/0183979	A1	8/2007	Arkenau-Maric
6,534,089	B1	3/2003	Ayer et al.		2007/0183980	A1	8/2007	Arkenau-Maric
6,547,997	B1	4/2003	Breitenbach et al.		2007/0190142	A1	8/2007	Breitenbach
6,562,375	B1	5/2003	Sako et al.		2007/0196396	A1	8/2007	Pilgaonkar et al.
6,592,901	B2	7/2003	Durig		2007/0196481	A1	8/2007	Amidon
6,635,280	B2	10/2003	Shell et al.		2007/0264327	A1	11/2007	Kumar et al.
6,699,503	B1	3/2004	Sako et al.		2007/0269505	A1	11/2007	Flath et al.
6,723,340	B2	4/2004	Gusler et al.		2008/0081290	A1	4/2008	Wada
6,733,783	B2 *	5/2004	Oshlack et al.	424/473	2008/0247959	A1	10/2008	Bartholomäus
6,753,009	B2	6/2004	Luber et al.		2008/0248113	A1	10/2008	Bartholomäus
6,821,588	B1	11/2004	Hammer		2008/0311049	A1	12/2008	Arkenau-Maric
7,141,250	B2	11/2006	Oshlack et al.		2008/0311187	A1	12/2008	Ashworth
7,176,251	B1	2/2007	Bastioli		2008/0311197	A1	12/2008	Arkenau-Maric
7,776,314	B2	8/2010	Bartholomäus et al.		2008/0312264	A1	12/2008	Arkenau-Maric
2001/0038852	A1	11/2001	Kolter		2008/0317854	A1	12/2008	Arkenau
2002/0012701	A1	1/2002	Kolter		2009/0004267	A1	1/2009	Arkenau-Maric
2002/0015730	A1	2/2002	Hoffmann		2009/0005408	A1	1/2009	Arkenau-Maric
2002/0051820	A1	5/2002	Shell et al.		2009/0081290	A1	3/2009	McKenna
2002/0114838	A1	8/2002	Ayer et al.		2009/0202634	A1	8/2009	Jans
2002/0132359	A1	9/2002	Waterman		2010/0015223	A1	1/2010	Cailly-Dufestel
2002/0187192	A1	12/2002	Joshi		2010/0098758	A1	4/2010	Bartholomäus et al.
2003/0015814	A1	1/2003	Krull		2010/0151028	A1	6/2010	Ashworth et al.
2003/0017532	A1	1/2003	Biswas		2010/0221322	A1	9/2010	Bartholomäus et al.
2003/0021546	A1	1/2003	Sato		2010/0260833	A1	10/2010	Bartholomäus et al.
2003/0031546	A1	2/2003	Araki		2011/0020451	A1	1/2011	Bartholomäus et al.
2003/0044458	A1	3/2003	Wright, IV		2011/0038930	A1	2/2011	Barnscheid et al.
2003/0044464	A1	3/2003	Ziegler et al.		2011/0082214	A1	4/2011	Faure et al.
2003/0064099	A1	4/2003	Oshlack et al.	424/465	FOREIGN PATENT DOCUMENTS			
2003/0068392	A1	4/2003	Sackler	424/760	AR	045353	10/2005	
2003/0091630	A1	5/2003	Louie-Helm et al.		AR	049562	8/2006	
2003/0104052	A1	6/2003	Berner et al.		AR	053304	5/2007	
2003/0118641	A1	6/2003	Maloney et al.	424/465	AR	054222	6/2007	
2003/0124185	A1	7/2003	Oshlack et al.	424/465	AR	054328	6/2007	
2003/0125347	A1	7/2003	Anderson et al.		AU	2003237944	12/2003	
2003/0133985	A1	7/2003	Louie-Helm et al.		AU	2003274071	5/2004	
2003/0152622	A1	8/2003	Louie-Helm et al.		AU	2003278133	5/2004	
2003/0158242	A1	8/2003	Kugelman		AU	2003279317	5/2004	
2003/0175326	A1	9/2003	Thombre		AU	2004264666	2/2005	
2003/0232895	A1	12/2003	Omidian		AU	2004264667	2/2005	
2004/0010000	A1	1/2004	Ayer et al.		AU	2004308653	4/2005	
2004/0011806	A1	1/2004	Luciano		AU	2005259476	1/2006	
2004/0052844	A1	3/2004	Hsiao et al.		AU	2005259478	1/2006	
2004/0081694	A1	4/2004	Oshlack		AU	2006210145	8/2006	
2004/0091528	A1	5/2004	Rogers		AU	2009207796	7/2009	
2004/0131671	A1	7/2004	Zhang		AU	2009243681	11/2009	
2004/0156899	A1	8/2004	Louie-Helm et al.		BR	P10413318	10/2006	
2004/0170567	A1 *	9/2004	Sackler	424/10.1	BR	P10413361	10/2006	
2004/0185105	A1	9/2004	Berner et al.		BR	P10513300	5/2008	
2004/0213848	A1	10/2004	Li et al.		BR	P10606145	2/2009	
2005/0015730	A1	1/2005	Gunturi et al.		CA	2317747	A1	7/1999
2005/0031546	A1	2/2005	Bartholomäus et al.		CA	2352874	A1	6/2000
2005/0058706	A1	3/2005	Bartholomäus		CA	250 2965	A1	5/2004
2005/0063214	A1	3/2005	Takashima		CA	2534925		2/2005
2005/0089475	A1	4/2005	Gruber		CA	2534932		2/2005
2005/0095291	A1	5/2005	Oshlack et al.		CA	2551231		7/2005
2005/0106249	A1	5/2005	Hwang et al.		CA	2572352		1/2006
2005/0112067	A1	5/2005	Kumar et al.		CA	2572352	A1	1/2006
2005/0127555	A1	6/2005	Gusik		CA	2572491		1/2006
2005/0152843	A1	7/2005	Bartholomäus		CA	2595954		7/2006
2005/0186139	A1	8/2005	Bartholomäus		CA	2595979		8/2006
2005/0191244	A1	9/2005	Bartholomäus		CA	2713128		7/2009
2005/0214223	A1	9/2005	Bartholomäus		CA	2723438		11/2009
2005/0236741	A1	10/2005	Arkenau		CH	689109	A5	10/1998
2005/0266084	A1	12/2005	Li et al.		CN	1980643		4/2005
2006/0002859	A1	1/2006	Arkenau		CN	101010071		6/2005
2006/0002860	A1	1/2006	Bartholomäus		CN	101022787		1/2006
2006/0039864	A1	2/2006	Bartholomäus		CN	001863513		11/2006
2006/0099250	A1	5/2006	Tian		CN	001863514		11/2006

US 8,114,383 B2

Page 3

CN	01917862	2/2007	EP	0857062 A2	8/1998
CN	101027044	8/2007	EP	0864324 A1	9/1998
CN	101111232	1/2008	EP	0864326 A2	9/1998
CN	101175482	2/2008	EP	0 980 894 A1	9/1999
DE	2530 563	1/1977	EP	0988106 A1	3/2000
DE	2808505 A1	9/1978	EP	1014941 A1	7/2000
DE	4309528	3/1993	EP	1070504 A1	1/2001
DE	43 09 528	9/1994	EP	1127871 A1	8/2001
DE	69400215 T2	10/1996	EP	1138321 A2	10/2001
DE	19522899 C1	12/1996	EP	1166776 A2	1/2002
DE	19753534	12/1997	EP	1251120 A1	10/2002
DE	19800698	1/1998	EP	1293127 A2	3/2003
DE	19822979	5/1998	EP	1293196 A2	3/2003
DE	19753534 A1	6/1999	EP	1250045 B1	9/2003
DE	19800689 C1	7/1999	EP	1658055	2/2005
DE	19800698 A1	7/1999	EP	1515702	3/2005
DE	19822979 A1	12/1999	EP	1527775 A1	4/2005
DE	69229881 T2	12/1999	EP	1558221 A1	8/2005
DE	0980894	2/2000	EP	1558257	8/2005
DE	19856147 A1	6/2000	EP	1560585	8/2005
DE	19940740 A1	3/2001	EP	1658054	5/2006
DE	19960494 A1	6/2001	EP	1740161	1/2007
DE	10036400 A1	6/2002	EP	1765303	3/2007
DE	19855440 A1	6/2002	EP	1786403	5/2007
DE	69429710 T2	8/2002	EP	1558221 B1	6/2007
DE	10250083 A1	12/2003	EP	1845955	10/2007
DE	10250084 A1	5/2004	EP	1845956	10/2007
DE	10250087 A1	5/2004	EP	1 859 789	11/2007
DE	10250088	5/2004	EP	1897545 A1	12/2008
DE	10336400 A1	3/2005	EP	213 1830	12/2009
DE	102004019916	11/2005	EP	2249811	11/2010
DE	102004020220	11/2005	EP	2273983	1/2011
DE	10 2004 032049 A1	1/2006	ES	2336571	12/2004
DE	10 2004 032051 A1	1/2006	ES	2260042 T3	11/2006
DE	10 2004 032103 A1	1/2006	ES	2285497	11/2007
DE	10 2005 005446 A1	8/2006	ES	2288621	1/2008
DE	10 2005 005449 A1	8/2006	ES	2289542	2/2008
DE	102007011485	9/2008	ES	2315505	4/2009
DK	1658055	7/2007	GB	1147210 A	4/1969
DK	1658054	10/2007	GB	2057878 A	4/1981
DK	1515702	1/2009	HR	P20070272	6/2007
EC	SP066345	8/2006	HR	20070456	11/2007
EP	0 008 131	2/1980	JP	3-0501737 A	4/1991
EP	0043254 A1	1/1982	JP	8 505076	6/1996
EP	0177893 A2	4/1986	JP	8-505076 A	6/1996
EP	0 216 453	4/1987	JP	2002-275175 A	9/2002
EP	0 226 061	6/1987	JP	2005534664	11/2005
EP	0 228 417	7/1987	KR	1020060069832	6/2006
EP	0229652 A2	7/1987	KR	20070039041	4/2007
EP	0 232 877	8/1987	KR	20070111510	11/2007
EP	0240906 A2	10/1987	KR	20100111303	10/2010
EP	0261616 A2	3/1988	KR	20110016921	2/2011
EP	0270954 A1	6/1988	MX	2007000008	3/2007
EP	0 277 289	8/1988	MX	2007000009	3/2007
EP	0 293 066	11/1988	MX	2007009393	8/2007
EP	0 328 775	8/1989	MX	2010008138	8/2010
EP	0477135 A1	3/1992	MX	2010012039	11/2010
EP	0544144 A1	6/1993	NO	20061054	3/2006
EP	0 583 726	2/1994	NO	20070578	1/2007
EP	0 598 606	5/1994	NO	20074412	11/2007
EP	0636370 A1	2/1995	PT	1699440	12/2004
EP	0641195 A1	3/1995	PT	1658054	5/2006
EP	0647448 A1	4/1995	PT	1658055	7/2007
EP	0682945 A2	5/1995	PT	1515702	12/2008
EP	0 661 045	7/1995	RU	213 1244 C1	6/1999
EP	0661045 A1	7/1995	RU	2354357	12/2007
EP	0675710 A1	10/1995	RU	2007103712	9/2008
EP	0693475	1/1996	RU	2007103707	11/2008
EP	0693475 A1	1/1996	RU	2007132975	4/2009
EP	0820693 A1	1/1996	SI	1515702	4/2009
EP	0 696 598	2/1996	SI	1699440	11/2009
EP	0756480 A1	2/1997	WO	89/05624 A1	6/1989
EP	0760654 A1	3/1997	WO	90 03776	4/1990
EP	0780369	6/1997	WO	9003776 A1	4/1990
EP	0780369 A1	6/1997	WO	93 06723	4/1993
EP	0785775 A1	7/1997	WO	93 10758 A1	6/1993
EP	0809488 A1	12/1997	WO	93 11749	6/1993
EP	0820698	1/1998	WO	94 06414	3/1994
EP	0820698 A1	1/1998	WO	94 08567 A1	4/1994

US 8,114,383 B2

Page 4

WO	95/17174	A1	6/1995
WO	95 22319	A1	8/1995
WO	WO 95/20947		8/1995
WO	95 30422		11/1995
WO	96 00066		1/1996
WO	96/03979	A1	2/1996
WO	9614058	A1	5/1996
WO	9733566		9/1997
WO	9820073		5/1998
WO	WO 98/20073		5/1998
WO	98 28698	A1	7/1998
WO	98/35655	A2	8/1998
WO	99/12864	A1	3/1999
WO	99 32120	A1	7/1999
WO	99/48481	A1	9/1999
WO	9944591	A1	9/1999
WO	WO/00/33835	*	6/2000
WO	WO0033835	*	6/2000
WO	0040205		7/2000
WO	01/12230	A1	2/2001
WO	0108661	A2	2/2001
WO	0115667	A1	3/2001
WO	01/52651	A2	7/2001
WO	01/97783	A1	12/2001
WO	02/26061	A1	4/2002
WO	02/26262	A2	4/2002
WO	02 26928		4/2002
WO	02/088217	A1	11/2002
WO	03 06723	A1	1/2003
WO	03 013476	A1	2/2003
WO	03/013479	A1	2/2003
WO	WO 03/015531		2/2003
WO	WO 03/015531	A2	2/2003
WO	03 024430		3/2003
WO	03/026624	A1	4/2003
WO	03 026743	A2	4/2003
WO	03/026743	A2	4/2003
WO	03 028698	A2	4/2003
WO	03/028990	A1	4/2003
WO	03/031546	A1	4/2003
WO	03 035029		5/2003
WO	03/035177	A2	5/2003
WO	03035029	A1	5/2003
WO	03035053	A1	5/2003
WO	03035054	A1	5/2003
WO	03053417	A2	7/2003
WO	03/068392	A1	8/2003
WO	03/092648	A1	11/2003
WO	03094812	A1	11/2003
WO	03 105808		12/2003
WO	2004/004693	A1	1/2004
WO	2004/043967	A1	2/2004
WO	2004 026263	A2	4/2004
WO	WO/2004/026262		4/2004
WO	WO 2004026262	A2 *	4/2004
WO	2004037230	A1	5/2004
WO	2004037259	A1	5/2004
WO	2004037260	A1	5/2004
WO	2004/066910	A2	8/2004
WO	2004/084869	A1	10/2004
WO	2004/093801	A2	11/2004
WO	2004/100894	A2	11/2004
WO	2004093819	A2	11/2004
WO	2005 016313		2/2005
WO	2005 016314		2/2005
WO	2005016314	A1	2/2005
WO	2005/032524	A2	4/2005
WO	2005/065646	A2	4/2005
WO	2005 041968		5/2005
WO	2005/053656	A1	6/2005
WO	2005/055981	A2	6/2005
WO	2005 063214		7/2005
WO	2005/066183	A1	7/2005
WO	2005063214	A1	7/2005
WO	2005 102286		11/2005
WO	2005102286	A1	11/2005
WO	2006 002883		1/2006
WO	2006 002884		1/2006
WO	2006002884		1/2006

WO	2006002886	A1	1/2006
WO	2005102294		5/2006
WO	2006 082097		8/2006
WO	2006 082099		8/2006
WO	2007/005716	A2	1/2007
WO	2007 008752		1/2007
WO	2007 048233		5/2007
WO	2007 053698		5/2007
WO	2007/085024	A2	7/2007
WO	2008/086804	A2	7/2008
WO	2008/107149	A2	9/2008
WO	2008107149		9/2008
WO	2008/148798	A2	12/2008
WO	2009003776	A1	1/2009
WO	2009/092601	A1	7/2009
WO	2009092601		7/2009
WO	2009/135680	A1	11/2009
WO	2009135680		11/2009
WO	2011009602		1/2011
WO	2011009603		1/2011
WO	2011009604		1/2011

OTHER PUBLICATIONS

Maggi et al. (Biomaterials 2002, 23, 1113-1119).*

DOW Technical Data, POLYOXTIM WSR, Feb. 2003.*

DeJong (Pharmaceutisch Weekblad Scientific Edition 1987, p. 24-28).*

Observations by Third Parties Pursuant to Art 115 EPC, dated Feb. 2, 2009.

Letter of James W. McGinity, with attached experimental report, dated Jan. 26, 2009.

V.K. Thoma et al., "Bestimmung der In-vitro-Freigabe von schwach basischen Wirkstoffen aus Retardarzneiformen," Pharm. Ind. 51, Nr. 3 (1989).

F. E. Bailey et al., "Some Properties of Poly(ethylene oxide) in Aqueous Solution," Journal of Applied Polymer Science, vol. 1, Issue No. 1, pp. 56-62 (1959).

A. Apicella et al., "Poly(ethylene oxide) (PEO) and different molecular weight PEO blends monolithic devices for drug release," Biomaterials 1993, vol. 14, No. 2, pp. 83-90.

S. Janicki et al., "Slow-Release Microballs: Method of Preparation," Acta Pharm. Technol. 33(3) 154-155 (1987).

R. Mank et al., "Darstellung wirkstoffhaltiger Extrusionsformlinge auf der Basis von Thermoplasten," Pharmazie 45 (1990), H. 8; pp. 592-593.

R. Mank et al., "Darstellung wirkstoffhaltiger Extrusionsformlinge auf der Basis von Thermoplasten," Pharmazie 44 (1989) H. 11; pp. 773-776.

P. Shivanand et al., "Factors Affecting Release of KCl from Melt Extruded Polyethylene Disks," Pharmaceutical Research, Official Journal of the American Association of Pharmaceutical Scientists; Oct. 1991, vol. 8, No. 10.

L. Yang et al., "Characterization of Compressibility and Compatibility of Poly(ethylene oxide) Polymers for Modified Release Application by Compaction Simulator," Journal of Pharmaceutical Sciences, vol. 85, No. 10, Oct. 1996.

F. Zhang et al., "Properties of Sustained-Release Tablets Prepared by Hot-Melt Extrusion," Pharmaceutical Development and Technology, 4(2), 241-250 (1999) pp. 241-250.

M.M. Crowley et al., "Stability of polyethylene oxide in matrix tablets prepared by hot-melt extrusion," Biomaterials 23 (2002) 4241-4248.

M. Efentakis et al., "Evaluation of High Molecular Weight Poly(Oxyethylene) (Polyox) Polymer: Studies of Flow Properties and Release Rates of Furosemide and Captopril from Controlled-Release Hard Gelatin Capsules," Pharmaceutical Development and Technology, 5(3), 339-346 (2000).

N. Follonier et al., "Various ways of modulating the release of diltiazem hydrochloride from hot-melt extruded sustained release pellets prepared using polymeric materials," Journal of Controlled Release 36 (1995) 243-250.

N.B. Graham, "Poly(Ethylene Glycol) Gels and Drug Delivery," Poly(Ethylene Glycol) Chemistry: Biotechnical and Biomedical Applications, Chapter 17, 1992.

US 8,114,383 B2

Page 5

- C. D. Hanning et al., "The Morphine Hydrogel Suppository," *British Journal of Anaesthesia*, 1988, 61, 221-227.
- Kim et al., "Preparation and Evaluation of Eudragit Gels V. Rectal Gel Preparations for Sustained Release and Avoidance of First-Pass Metabolism of Lidocaine," *Chem. Pharm. Bull.* 40(10) 2800-2804 (1992).
- Cheng-Ju Kim, "Drug Release from Compressed Hydrophilic POLYOX-WSR Tablets," *Journal of Pharmaceutical Sciences*, vol. 84, No. 3, Mar. 1995.
- S.L. Madorsky et al., "Thermal Degradation of Polyethylene Oxide and Polypropylene Oxide," *Journal of Polymer Science*, vol. XXXVI, pp. 183-194 (1959).
- A. Moroni et al., "Application of Poly(Oxyethylene) Homopolymers in Sustained Release Solid Formulations," *Drug Development and Industrial Pharmacy*, 21(12), 1411-1428 (1995).
- N. Ohnishi et al., "Effect of the Molecular Weight of Polyethylene Glycol on the Bioavailability of Indomethacin Sustained-Release Suppositories Prepared with Solid Dispersions," *Chem. Pharm. Bull.*, 35 (8) 3511-3515 (1987).
- T. Ozeki et al., "Control of medicine release from solid dispersion composed of the poly(ethylene oxide)-carboxyvinylpolymer interpolymer complex by varying molecular weight of poly(ethylene oxide)," *Journal of Controlled Release* 58 (1999) 87-95.
- Pharmaceutical Research, Official Journal of the American Association of Pharmaceutical Scientists, Sep. 1989 (Supplement), vol. 6, No. 9, 6.S-98.
- Pharmaceutical Research, Official Journal of the American Association of Pharmaceutical Scientists, Oct. 1991 (Supplement), Vol. 8, No. 10, 8.S-192.
- W. Papaitrakul et al., "Release of Chlorpheniramine Maleate from Fatty Acid Ester Matrix Disks Prepared by Melt-extrusion," *J. Pharm. Pharmacol.* 1991, 43: 377-381.
- S. Radko et al., "Molecular sieving by polymer solutions: dependence on particle and polymer size, independence of polymer entanglement," *Applied and Theoretical Electrophoresis* (1995), 5, 79-88.
- J. Scheirs et al., "Characterizing the solid-state thermal oxidation of poly(ethylene oxide) powder," *Polymer*, 1991, vol. 32, No. 11.
- O.L. Sprockel et al., "Permeability of Cellophane Polymers: Water Vapour Transmission Rates," *J. Pharm. Pharmacol.* 1990, 42: 152-157.
- J.L. Stringer et al., "Diffusion of small molecular weight drugs in radiation-crosslinked poly(ethylene oxide) hydrogels," *Journal of Controlled Release* 42 (1996) 195-202.
- E. G. Rippie et al., "Regulation of Dissolution Rate by Pellet Geometry," *Journal of Pharmaceutical Sciences*, Vol. 58, No. 4, Apr. 1969, pp. 428-431.
- M. Adel El-Egakey et al., "Hot extruded dosage forms Part I," *Pharmaceutica Acta Helvetica*, vol. 46, Mar. 19, 1970.
- Remington's Pharmaceutical Sciences 17th ed., Mack Publishing Co., (1985) 1418.
- M.S. Mesiha et al., "A Screening Study of Lubricants in Wet Powder Masses Suitable for Extrusion Spheronization," *Drug Development and Industrial Pharmacy*, 19(8), 943-959 (1993).
- N. Follonier et al., "Evaluation of Hot-Melt Extrusion as a New Technique for the Production of Polymer-Based Pellets for Sustained Release Capsules Containing High Loadings of Freely Soluble Drugs," *Drug Development and Industrial Pharmacy*, 20(8), 1323-1339 (1994).
- Remington's Pharmaceutical Sciences, Authur Asol editor, pp. 1553-1593, Chapter 89, 1980.
- Inert Gas from Wikipedia (Dec. 2009).
- Coppens et al; "Hypromellose, Ethylcellulose, and Polyethylene Oxide Use in Hot Melt Extrusion"; *Pharmaceutical Technology*, 62-70, Jan. 2005.
- Caraballo et al., "Percolation Thresholds in Ultrasound Compacted Tablets", *Journal of Controlled Release*, vol. 69, pp. 345-355, (2000).
- El-Sherbiny et al., "Preparation Characterization, Swelling and in Vitro Drug Release Behaviour of Poly[N-acryloylglycine-chitosan] Interpolymeric pH and Thermally-responsive Hydrogels", *European Polymer Journal*, vol. 41, pp. 2584-2591 (2005).
- Griffith R., "Tablet Crushing and the Law: The Implications for Nursing", *Drug Administration*, vol. 19, No. 1, p. 41-42 (2003).
- Levina et al., "The Effect of Ultrasonic Vibration on the Compaction Characteristic of Paracetamol", *Journal of Pharmaceutical Sciences*, vol. 89, No. 6, pp. 705-723, Jun. 2000.
- Levina et al., "The Effect of Ultrasonic Vibration on the Compaction Characteristic of Ibuprofen", *Drug Development and Industrial Pharmacy*, vol. 28, No. 5, pp. 495-514 (2002).
- Miller, et al., "To Crush or Not to Be Crush", *Nursing*, p. 50-52, Feb. 2000.
- Mitchell J.E., "Oral Dosage Forms That Should Not Be Crushed: 2000 Update", *Special Resource*, vol. 35, No. 5, pp. 553-557, (2000).
- Proeschel et al., "Task-Dependence of Activity/Bite-force Relations and its Impact on Estimation of Chewing Force from EMG", *J. Dent. Res.*, vol. 81, No. 7, pp. 464-468 (2002).
- Jan. 6, 2011 Letter from Dr. Rick Matos, Ph.D.
- Search result conducted on <http://www.unitconversion.org/force/newtons-to-kiloponds-conversion.html> on Jul. 5, 2011.
- Katz et al., *Clin. J. Pain*, 23(8): 648-660 (2007).
- Arnold, "Teen Abuse of Painkiller OxyContin on the Rise," *www.npr.org*, Dec. 19, 2005.
- Baum et al., *Public Health Reports*, 102(4): 426-429 (1987).
- Purdue News, "Purdue Pharma Provides Update on Development of New Abuse-Resistant Pain Medications; FDA Cites Patient Needs As First Priority; New Drug Application Delayed," *www.headaches.about.com*, Jun. 18, 2002.
- Strang, *British Med. J.*, 302: 969 (1991).
- Tompkins et al., *Psychopharma.*, 210: 471-480 (2010).
- Waters et al., *Am. J. Psychiatry*, 164(1): pp. 173-174 (2007).
- Tablet, *www.docstoc.com* (2011).
- Dachille, F. et al., "High-Pressure Phase Transformation in Laboratory Mechanical Mixers and Mortars", 1906., *Nature*, 186, pp. 1-2 (abstract).
- Yarbrough et al., *Letters to Nature* 322, 347-349 (Jul. 24, 1986) "Extraordinary effects of mortar-and-pestle grinding on microstructure of sintered alumina gel".
- Braun, et al. *Angel Orthodontist*, 6(5) pp. 373-377, 1995.
- Dow Excipients Chem. of Poly. Water Soluble Resin 2004.
- Davis et al., *European Journal of Pharmaceutics and Biopharmaceutics*, 67, 2007, pp. 268-276.
- Fell, et al. *Journal of Pharmaceutical Sciences*, vol. 59, No. 5, May 1970, pp. 688-691.
- Lockhart et al. "Packaging of Pharmaceuticals and Health Care Products"; Blackie Academic & Professional; First Edition 1996.
- Manthana et al., *Amer J Drug Deliv.* 2004: 2(1): 43-57.
- Summers et al; *Journal of Pharmaceutical Sciences*, vol. 66, No. 8, Aug. 1977, pp. 1172-1175.
- Tipler et al. *Physics for Scientists and Engineers*, 6th Edition, pp. 234-235, 2003.
- US Pharmacopoeia, Chapter 1217, Aug. 1, 2008.
- Waltimo et al. A novel bite force recorder and maximal isometric bite force values for healthy young adults. *Scand J Dent Res.* 1993, vol. 101, pp. 171-175.
- Waltimo et al. Maximal bite force and its association with signs and symptoms of craniomandibular disorders in young Finnish non-patients. *Acta Odontol. Scand.* 1995, vol. 53, pp. 254-258.
- Conversion of 18.8 kiloponds to newtons, <http://www.unitconversion.org/force/newtons-to-kiloponds-conversion.html> on Jul. 5, 2011.
- Bauer, *Coated Pharmaceutical Dosage Forms*, CRC Press, 1998, pp. 1-10.
- Dachille, T., et al. "High-pressure phase transformation in laboratory mechanical mixers and mortars", 1960, *Nature*, 186, pp. 1-2 (abstract).
- Maggi, L. et al., "High molecular weight polyethylene oxides (PEOs) as an alternative to HPMC in controlled release dosage form", 2000, *International Journal of Pharmaceutics*, 195 pp. 229-238.
- Maggi, "Therapeutic Potential of Capsaicin-like Molecules: Studies in Animals and Humans", *Life Sciences*, vol. 51, pp. 1777-1781, (1992).
- 2.9 Methoden der pharmazeutischen Technologie, pp. 143-144, 1997 (English Translation included).
- Handbuch der Kunststoff-Extrusionstechnik, "Grundlagen", Chapter 1.2 "Klassifizierung von Extrudern", pp. 3-7, 1989, (English Translation included).

US 8,114,383 B2

Page 6

Freed et al. pH control of nucleophilic/electrophilic oxidation. International Journal of Pharmaceutics. 2008, vol. 357, pp. 180-188.
Waterman et al. Stabilization of Pharmaceuticals to Oxidative Degradation. Pharmaceutical Development and Technology. 2002, vol. 7, No. 1, pp. 1-32.
J. Stafford, "Überzogene feste Formen", H. Sucker, Georg Thieme Verlag 1991, pp. 347-368.
"Pharmaceutical technical procedures", European Pharmacopolia, 1997, p. 135.

Granulierung hydrophober Wirkstoffe im Planetwalzenextruder 2003.

Pharmazeutische Biologie Drogen und ihre Inhaltsstoffe, Professor Dr. Hildebert Wagner, Munchen, 1982, pp. 82-92.

Coated Pharmaceutical Dosage Forms, K.H. Bauer, et al., CRC Press, 1998, pp. 1-10.

* cited by examiner

US 8,114,383 B2

1

ABUSE-PROOFED DOSAGE FORM**BACKGROUND OF THE INVENTION****1. Field of the Invention**

The present invention relates to an abuse-proofed, thermoformed dosage form containing, in addition to one or more active ingredients with abuse potential (A) optionally together with physiologically acceptable auxiliary substances (B), at least one synthetic or natural polymer (C) and optionally at least one wax (D), wherein component (C) exhibits a breaking strength of at least 500 N, and to a process for the production of the dosage form according to the invention.

2. Brief Description of Related Developments

Many pharmaceutical active ingredients, in addition to having excellent activity in their appropriate application, also have abuse potential, i.e. they can be used by an abuser to bring about effects other than those intended. Opiates, for example, which are highly active in combating severe to very severe pain, are frequently used by abusers to induce a state of narcosis or euphoria.

In order to make abuse possible, the corresponding dosage forms, such as tablets or capsules are comminuted, for example ground in a mortar, by the abuser, the active ingredient is extracted from the resultant powder using a preferably aqueous liquid and the resultant solution, optionally after being filtered through cotton wool or cellulose wadding, is administered parenterally, in particular intravenously. An additional phenomenon of this kind of administration, in comparison with abusive oral administration, is a further accelerated increase in active ingredient levels giving the abuser the desired effect, namely the "kick" or "rush". This kick is also obtained if the powdered dosage form is administered nasally, i.e. is sniffed. Since controlled-release dosage forms containing active ingredients with abuse potential do not give rise to the kick desired by the abuser when taken orally even in abusively high quantities, such dosage forms are also comminuted and extracted in order to be abused.

U.S. Pat. No. 4,070,494 proposed adding a swellable agent to the dosage form in order to prevent abuse. When water is added to extract the active ingredient, this agent swells and ensures that the filtrate separated from the gel contains only a small quantity of active ingredient.

The multilayer tablet disclosed in WO 95/20947 is based on a similar approach to preventing parenteral abuse, said tablet containing the active ingredient with abuse potential and at least one gel former, each in different layers.

WO 03/015531 A2 discloses another approach to preventing parenteral abuse. A dosage form containing an analgesic opioid and a dye as an aversive agent is described therein. The colour released by tampering with the dosage form is intended to discourage the abuser from using the dosage form which has been tampered with.

Another known option for complicating abuse involves adding antagonists to the active ingredients to the dosage form, for example naloxone or naltrexone in the case of opiates, or compounds which cause a physiological defence response, such as for example Radix ipecacuanha=ipecac root.

SUMMARY OF THE INVENTION

However, since in most cases of abuse it is still necessary to pulverise the dosage form comprising an active ingredient suitable for abuse, it was the object of the present invention to complicate or prevent the pulverisation preceding abuse of

2

the dosage form comprising the agents conventionally available for potential abuse and accordingly to provide a dosage form for active ingredients with abuse potential which ensures the desired therapeutic effect when correctly administered, but from which the active ingredients cannot be converted into a form suitable for abuse simply by pulverisation.

Said object has been achieved by the provision of the abuse-proofed, thermoformed dosage form according to the invention which contains, in addition to one or more active ingredients with abuse potential (A), at least one synthetic or natural polymer (C) and optionally at least one wax (D), wherein component (C) exhibits a breaking strength of at least 500 N.

The use of polymers having the stated minimum breaking strength, preferably in quantities such that the dosage form also exhibits such a minimum breaking strength, means that pulverisation of the dosage form is considerably more difficult using conventional means, so considerably complicating or preventing the subsequent abuse.

If comminution is inadequate, parenteral, in particular intravenous, administration cannot be performed safely or extraction of the active ingredient therefrom takes too long for the abuser or there is no "kick" when taken orally, as release is not spontaneous.

According to the invention, comminution is taken to mean pulverisation of the dosage form with conventional means which are available to an abuser, such as for example a mortar and pestle, a hammer, a mallet or other usual means for pulverisation by application of force.

The dosage form according to the invention is thus suitable for preventing parenteral, nasal and/or oral abuse of pharmaceutical active ingredients with abuse potential.

Pharmaceutical active ingredients with abuse potential are known to the person skilled in the art, as are the quantities thereof to be used and processes for the production thereof, and may be present in the dosage form according to the invention as such, in the form of the corresponding derivatives thereof, in particular esters or ethers, or in each case in the form of corresponding physiologically acceptable compounds, in particular in the form of the salts or solvates thereof, as racemates or stereoisomers. The dosage form according to the invention is also suitable for the administration of several active ingredients. It is preferably used to administer a specific active ingredient.

The dosage form according to the invention is in particular suitable for preventing abuse of a pharmaceutical active ingredient selected from the group consisting of opiates, opioids, tranquillisers, preferably benzodiazepines, barbiturates, stimulants and other narcotics.

The dosage form according to the invention is very particularly suitable for preventing abuse of an opiate, opioid, tranquilliser or another narcotic selected from the group consisting of N-{1-[2-(4-ethyl-5-oxo-2-tetrazolin-1-yl)ethyl]-4-methoxymethyl-4-piperidyl}propionanilide (alfentanil), 5,5-diallylbarbituric acid (allobarbital), allylprodine, alphaprodine, 8-chloro-1-methyl-6-phenyl-4H-[1,2,4]triazolo[4,3-a][1,4]-benzodiazepine (alprazolam), 2-diethylaminopropiophenone (amfepramone), (±)-α-methyl-phenethylamine (amphetamine), 2-α-methylphenethylamino-2-phenylacetone (amphetaminil), 5-ethyl-5-isopentylbarbituric acid (amobarbital), anileridine, apocodeine, 5,5-diethylbarbituric acid (barbital), benzylmorphine, bezitramide, 7-bromo-5-(2-pyridyl)-1H-1,4-benzodiazepine-2(3H)-one (bromazepam), 2-bromo-4-(2-chlorophenyl)-9-methyl-6H-thieno[3,2-f][1,2,4]triazolo-[4,3-a][1,4]diazepine (brotizolam), 17-cyclopropylmethyl-4,5α-epoxy-7α[(S)-1-hydroxy-1,2,2-trimethyl-propyl]-6-

US 8,114,383 B2

3

methoxy-6,14-endo-ethanomorphinan-3-ol (buprenorphine), 5-butyl-5-ethylbarbituric acid (butobarbital), butorphanol, (7-chloro-1,3-dihydro-1-methyl-2-oxo-5-phenyl-2H-1,4-benzodiazepine-3-yl)-dimethylcarbamate (camazepam), (1S,2S)-2-amino-1-phenyl-1-propanol (cathine/D-norpseudoephedrine), 7-chloro-N-methyl-5-phenyl-3H-1,4-benzodiazepine-2-ylamine-4-oxide (chlorodiazepoxide), 7-chloro-1-methyl-5-phenyl-1H-1,5-benzodiazepine-2,4(3H,5H)-dione (clobazam), 5-(2-chlorophenyl)-7-nitro-1H-1,4-benzodiazepine-2(3H)-one (clonazepam), clonitazene, 7-chloro-2,3-dihydro-2-oxo-5-phenyl-1H-1,4-benzodiazepine-3-carboxylic acid (clorazepate), 5-(2-chlorophenyl)-7-ethyl-1-methyl-1H-thieno[2,3-e][1,4]diazepine-2(3H)-one (clotiazepam), 10-chloro-11b-(2-chlorophenyl)-2,3,7,11b-tetrahydrooxazolo[3,2-d][1,4]benzodiazepine-6(5H)-one (cloxazolam), (-)-methyl-[3 β -benzoyloxy-2 β (1 α (H),5 α (H))-tropancarboxylate] (cocaine), 4,5 α -epoxy-3-methoxy-17-methyl-7-morphinene-6 α -ol (codeine), 5-(1-cyclohexenyl)-5-ethylbarbituric acid (cyclobarbitol), cyclorphan, cyprenorphine, 7-chloro-5-(2-chlorophenyl)-1H-1,4-benzodiazepine-2(3H)-one (delorazepam), desomorphine, dextromoramide, (+)-(1-benzyl-3-dimethylamino-2-methyl-1-phenylpropyl)propionate (dextropropoxyphen), dezocine, diampromide, diamorphone, 7-chloro-1-methyl-5-phenyl-1H-1,4-benzodiazepine-2(3H)-one (diazepam), 4,5 α -epoxy-3-methoxy-17-methyl-6 α -morphinanol (dihydrocodeine), 4,5 α -epoxy-17-methyl-3,6 α -morphinandiols (dihydromorphine), dimenoxadol, dimepheptanol, dimethylthiambutene, dioxaphetyl butyrate, dipipanone, (6aR,10aR)-6,6,9-trimethyl-3-pentyl-6a,7,8,10a-tetrahydro-6H-benzo[c]chromene-1-ol (dronabinol), eptazocine, 8-chloro-6-phenyl-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine (estazolam), ethoheptazine, ethylmethylthiambutene, ethyl [7-chloro-5-(2-fluorophenyl)-2,3-dihydro-2-oxo-1H-1,4-benzodiazepine-3-carboxylate](ethyl loflazepam), 4,5 α -epoxy-3-ethoxy-17-methyl-7-morphinene-6 α -ol (ethylmorphine), etonitazene, 4,5 α -epoxy-7 α -(1-hydroxy-1-methylbutyl)-6-methoxy-17-methyl-6,14-endo-etheno-morphinan-3-ol (etorphine), N-ethyl-3-phenyl-8,9,10-trinorbornan-2-ylamine (fencamfamine), 7-[2-(1-methyl-phenethylamino)ethyl]-theophylline (fenethylamine), 3-(α -methylphenethylamino)propionitrile (fenproporex), N-(1-phenethyl-4-piperidyl)propionanilide (fentanyl), 7-chloro-5-(2-fluorophenyl)-1-methyl-1H-1,4-benzodiazepine-2(3H)-one (fludiazepam), 5-(2-fluorophenyl)-1-methyl-7-nitro-1H-1,4-benzodiazepine-2(3H)-one (flunitrazepam), 7-chloro-1-(2-diethylaminoethyl)-5-(2-fluorophenyl)-1H-1,4-benzodiazepine-2(3H)-one (flurazepam), 7-chloro-5-phenyl-1-(2,2,2-trifluoroethyl)-1H-1,4-benzodiazepine-2(3H)-one (halazepam), 10-bromo-11b-(2-fluorophenyl)-2,3,7,11b-tetrahydro[1,3]oxazolyl[3,2-d][1,4]benzodiazepine-6(5H)-one (haloxazolam), heroin, 4,5 α -epoxy-3-methoxy-17-methyl-6-morphinanone (hydrocodone), 4,5 α -epoxy-3-hydroxy-17-methyl-6-morphinanone (hydromorphone), hydroxypethidine, isomethadone, hydroxymethyl morphinan, 11-chloro-8,12b-dihydro-2,8-dimethyl-12b-phenyl-4H-[1,3]oxazino[3,2-d][1,4]benzodiazepine-4,7(6H)-dione (ketazolam), 1-[4-(3-hydroxyphenyl)-1-methyl-4-piperidyl]-1-propanone (ketobemidone), (3S,6S)-6-dimethylamino-4,4-diphenylheptan-3-yl acetate (levacetylmethadol (LAAM)), (-)-6-dimethyl-amino-4,4-diphenol-3-heptanone (levomethadone), (-)-17-methyl-3-morphinanol (levorphanol), levophenacylmorphane, lofentanil, 6-(2-chlorophenyl)-2-(4-methyl-1-piperazinylmethylene)-8-nitro-2H-imidazo[1,2-a][1,4]benzodiazepine-1(4H)-one (loprazolam), 7-chloro-5-(2-chlorophenyl)-3-hydroxy-1H-1,4-benzodiazepine-2(3H)-

4

one (lorazepam), 7-chloro-5-(2-chlorophenyl)-3-hydroxy-1-methyl-1H-1,4-benzodiazepine-2(3H)-one (lormetazepam), 5-(4-chlorophenyl)-2,5-dihydro-3H-imidazo[2,1-a]isoindol-5-ol (mazindol), 7-chloro-2,3-dihydro-1-methyl-5-phenyl-1H-1,4-benzodiazepine (medazepam), N-(3-chloropropyl)- α -methylphenethylamine (mefenorex), meperidine, 2-methyl-2-propyltrimethylene dicarbamate (meprobamate), meptazinol, metazocine, methylmorphine, N, α -dimethylphenethylamine (methamphetamine), (\pm)-6-dimethylamino-4,4-diphenyl-3-heptanone (methadone), 2-methyl-3-o-tolyl-4(3H)-quinazolinone (methaqualone), methyl [2-phenyl-2-(2-piperidyl)acetate](methylphenidate), 5-ethyl-1-methyl-5-phenylbarbituric acid (methylphenobarbital), 3,3-diethyl-5-methyl-2,4-piperidinedione (methypylon), metopon, 8-chloro-6-(2-fluorophenyl)-1-methyl-4H-imidazo[1,5-a][1,4]benzodiazepine (midazolam), 2-(benzhydrylsulfinyl)-acetamide (modafinil), 4,5 α -epoxy-17-methyl-7-morphinene-3,6 α -diol (morphine), myrophine, (\pm)-trans-3-(1,1-dimethylheptyl)-7,8,10,10 α -tetrahydro-1-hydroxy-6,6-dimethyl-6H-dibenzo[b,d]pyrane-9 (6 α H)-one (nabilone), nalbuphine, nalorphine, narceine, nicomorphine, 1-methyl-7-nitro-5-phenyl-1H-1,4-benzodiazepine-2(3H)-one (nimetazepam), 7-nitro-5-phenyl-1H-1,4-benzodiazepine-2(3H)-one (nitrazepam), 7-chloro-5-phenyl-1H-1,4-benzodiazepine-2(3H)-one (nordazepam), norlevorphanol, 6-dimethylamino-4,4-diphenyl-3-hexanone (normethadone), normorphine, norpipanone, the exudation of plants belonging to the species *Papaver somniferum* (opium), 7-chloro-3-hydroxy-5-phenyl-1H-1,4-benzodiazepine-2(3H)-one (oxazepam), (cis-trans)-10-chloro-2,3,7,11b-tetrahydro-2-methyl-11b-phenyloxazolo[3,2-d][1,4]benzodiazepine-6(5H)-one (oxazolam), 4,5 α -epoxy-14-hydroxy-3-methoxy-17-methyl-6-morphinanone (oxycodone), oxymorphone, plants and parts of plants belonging to the species *Papaver somniferum* (including the subspecies *setigerum*), papaveretum, 2-imino-5-phenyl-4-oxazolidinone (pernoline), 1,2,3,4,5,6-hexahydro-6,11-dimethyl-3-(3-methyl-2-butenyl)-2,6-methano-3-benzazocin-8-ol (pentazocine), 5-ethyl-5-(1-methylbutyl)-barbituric acid (pentobarbital), ethyl-(1-methyl-4-phenyl-4-piperidine carboxylate) (pethidine), phenadoxone, phenomorphan, phenazocine, phenoperidine, piminodine, pholcodine, 3-methyl-2-phenylmorpholine (phenmetrazine), 5-ethyl-5-phenylbarbituric acid (phenobarbital), α,α -dimethylphenethylamine (phentermine), 7-chloro-5-phenyl-1-(2-propynyl)-1H-1,4-benzodiazepine-2(3H)-one (pinazepam), α -(2-piperidyl)benzhydryl alcohol (pipradrol), 1'-(3-cyano-3,3-diphenylpropyl)[1,4'-bipiperidine]-4'-carboxamide (piritramide), 7-chloro-1-(cyclopropylmethyl)-5-phenyl-1H-1,4-benzodiazepine-2(3H)-one (prazepam), profadol, proheptazine, promedol, properidine, propoxyphene, N-(1-methyl-2-piperidinoethyl)-N-(2-pyridyl)propionamide, methyl {3-[4-methoxycarbonyl-4-(N-phenylpropanamido)piperidino]propanoate} (remifentanyl), 5-sec-butyl-5-ethylbarbituric acid (secbutabarbitol), 5-allyl-5-(1-methylbutyl)-barbituric acid (secobarbital), N-[4-methoxymethyl-1-[2-(2-thienyl)ethyl]-4-piperidyl]-propionanilide (sufentanil), 7-chloro-2-hydroxy-methyl-5-phenyl-1H-1,4-benzodiazepine-2(3H)-one (temazepam), 7-chloro-5-(1-cyclohexenyl)-1-methyl-1H-1,4-benzodiazepine-2(3H)-one (tetrazepam), ethyl(2-dimethylamino-1-phenyl-3-cyclohexene-1-carboxylate) (tilidine (cis and trans)), tramadol, 8-chloro-6-(2-chlorophenyl)-1-methyl-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine (triazolam), 5-(1-methylbutyl)-5-vinylbarbituric acid (vinylbital), (1R*,2R*)-3-(3-dimethylamino-1-ethyl-2-methyl-propyl)-phenol, (1R,2R,4S)-2-(dimethylamino)methyl-4-(p-fluoro-benzyloxy)-1-(m-methoxyphenyl)cyclohexanol, (1R,2R)-3-(2-

US 8,114,383 B2

5

dimethylaminomethyl-cyclohexyl)phenol, (1S,2S)-3-(3-dimethylamino-1-ethyl-2-methyl-propyl)phenol, (2R,3R)-1-dimethylamino-3-(3-methoxyphenyl)-2-methyl-pentan-3-ol, (1RS,3RS,6RS)-6-dimethylaminomethyl-1-(3-methoxyphenyl)-cyclohexane-1,3-diol, 3-(2-dimethylaminomethyl-1-hydroxy-cyclohexyl)phenyl 2-(4-isobutoxy-phenyl)-propionate, 3-(2-dimethylaminomethyl-1-hydroxy-cyclohexyl)phenyl 2-(6-methoxy-naphthalen-2-yl)-propionate, 3-(2-dimethylamino-methyl-cyclohex-1-enyl)-phenyl 2-(4-isobutyl-phenyl)-propionate, 3-(2-dimethylaminomethyl-cyclohex-1-enyl)-phenyl 2-(6-methoxy-naphthalen-2-yl)-propionate, (RR—SS)-2-acetoxy-4-trifluoromethyl-benzoic acid 3-(2-dimethylaminomethyl-1-hydroxy-cyclohexyl)-phenyl ester, (RR—SS)-2-hydroxy-4-trifluoromethyl-benzoic acid 3-(2-dimethylaminomethyl-1-hydroxy-cyclohexyl)-phenyl ester, (RR—SS)-4-chloro-2-hydroxy-benzoic acid 3-(2-dimethylaminomethyl-1-hydroxy-cyclohexyl)-phenyl ester, (RR—SS)-2-hydroxy-4-methyl-benzoic acid 3-(2-dimethylamino-methyl-1-hydroxy-cyclohexyl)-phenyl ester, (RR—SS)-2-hydroxy-4-methoxy-benzoic acid 3-(2-dimethylaminomethyl-1-hydroxy-cyclohexyl)-phenyl ester, (RR—SS)-2-hydroxy-5-nitro-benzoic acid 3-(2-dimethylaminomethyl-1-hydroxy-cyclohexyl)-phenyl ester, (RR—SS)-2',4'-difluoro-3-hydroxy-biphenyl-4-carboxylic acid 3-(2-dimethylaminomethyl-1-hydroxy-cyclohexyl)-phenyl ester and for corresponding stereoisomeric compounds, the corresponding derivatives thereof in each case, in particular esters or ethers, and the physiologically acceptable compounds thereof in each case, in particular the salts and solvates thereof.

The compounds (1R*,2R*)-3-(3-dimethylamino-1-ethyl-2-methyl-propyl)-phenol, (1R,2R,4S)-2-(dimethylamino)methyl-4-(p-fluorobenzyloxy)-1-(m-methoxyphenyl)cyclohexanol or the stereoisomeric compounds thereof or the physiologically acceptable compounds thereof, in particular the hydrochlorides thereof, the derivatives thereof, such as esters or ethers, and processes for the production thereof are known, for example, from EP-A-693475 or EP-A-780369. The corresponding descriptions are hereby introduced as a reference and are deemed to be part of the disclosure.

In order to achieve the necessary breaking strength of the dosage form according to the invention, at least one synthetic or natural polymer (C) is used which has a breaking strength, measured using the method disclosed in the present application, of at least 500 N. At least one polymer selected from the group consisting of polymethylene oxide, polyethylene oxide, polypropylene oxide, polyethylene, polypropylene, polyvinyl chloride, polycarbonate, polystyrene, polyacrylate, copolymers thereof, and mixtures of at least two of the stated polymers is preferably used for this purpose. The polymers are distinguished by a molecular weight of at least 0.5 million, determined by rheological measurements. In one embodiment, the molecular weight ranges from 1-15 million. Thermoplastic polyalkylene oxides, such as polyethylene oxides, with a molecular weight of at least 0.5 million, preferably of up to 15 million, determined by rheological measurements, are very particularly preferred. These polymers have a viscosity at 25° C. of 4500 to 17600 cP, measured on a 5 wt. % aqueous solution using a model RVF Brookfield viscosimeter (spindle no. 2/rotational speed 2 rpm), of 400 to 4000 cP, measured on a 2 wt. % aqueous solution using the stated viscosimeter (spindle no. 1 or 3/rotational speed 10 rpm) or of 1650 to 10000 cP, measured on a 1 wt. % aqueous solution using the stated viscosimeter (spindle no. 2/rotational speed 2 rpm).

6

The polymers are used in powder form.

In order to achieve the necessary breaking strength of the dosage form according to the invention, it is furthermore possible additionally to use at least one natural or synthetic wax (D) with a breaking strength, measured using the method disclosed in the present application, of at least 500 N. Waxes with a softening point of at least 60° C. are preferred. Carnauba wax and beeswax are particularly preferred. Carnauba wax is very particularly preferred. Carnauba wax is a natural wax which is obtained from the leaves of the carnauba palm and has a softening point of $\geq 80^\circ$ C. When the wax component is additionally used, it is used together with at least one polymer (C) in quantities such that the dosage form has a breaking strength of at least 500 N.

The dosage forms according to the invention are distinguished in that, due their hardness, they cannot be pulverised, for example by grinding in a mortar. This virtually rules out oral or parenteral, in particular intravenous or nasal abuse. However, in order to prevent any possible abuse in the event of comminution and/or pulverisation of the dosage form according to the invention which has nevertheless been achieved by application of extreme force, the dosage forms according to the invention may, in a preferred embodiment, contain further agents which complicate or prevent abuse as auxiliary substances (B).

The abuse-proofed dosage form according to the invention, which comprises, apart from one or more active ingredients with abuse potential, at least one hardening polymer (C) and optionally at least one wax (D), may accordingly also comprise at least one of the following components (a)-(f) as auxiliary substances (B):

- (a) at least one substance which irritates the nasal passages and/or pharynx,
- (b) at least one viscosity-increasing agent, which, with the assistance of a necessary minimum quantity of an aqueous liquid, forms a gel with the extract obtained from the dosage form, which gel preferably remains visually distinguishable when introduced into a further quantity of an aqueous liquid,
- (c) at least one antagonist for each of the active ingredients with abuse potential,
- (d) at least one emetic,
- (e) at least one dye as an aversive agent,
- (f) at least one bitter substance.

Components (a) to (f) are additionally each individually suitable for abuse-proofing the dosage form according to the invention. Accordingly, component (a) is preferably suitable for proofing the dosage form against nasal, oral and/or parenteral, preferably intravenous, abuse, component (b) is preferably suitable for proofing against parenteral, particularly preferably intravenous and/or nasal abuse, component (c) is preferably suitable for proofing against nasal and/or parenteral, particularly preferably intravenous, abuse, component (d) is preferably suitable for proofing against parenteral, particularly preferably intravenous, and/or oral and/or nasal abuse, component (e) is suitable as a visual deterrent against oral or parenteral abuse and component (f) is suitable for proofing against oral or nasal abuse. Combined use according to the invention of at least one of the above-stated components makes it possible still more effectively to prevent abuse of dosage forms according to the invention.

In one embodiment, the dosage form according to the invention may also comprise two or more of components (a)-(f) in a combination, preferably (a), (b) and optionally (c) and/or (f) and/or (e) or (a), (b) and optionally (d) and/or (f) and/or (e).

In another embodiment, the dosage form according to the invention may comprise all of components (a)-(f).

US 8,114,383 B2

7

If the dosage form according to the invention comprises component (a) to counter abuse, substances which irritate the nasal passages and/or pharynx which may be considered according to the invention are any substances which, when administered via the nasal passages and/or pharynx, bring about a physical reaction which is either so unpleasant for the abuser that he/she does not wish to or cannot continue administration, for example burning, or physiologically counteracts taking of the corresponding active ingredient, for example due to increased nasal secretion or sneezing. These substances which conventionally irritate the nasal passages and/or pharynx may also bring about a very unpleasant sensation or even unbearable pain when administered parenterally, in particular intravenously, such that the abuser does not wish to or cannot continue taking the substance.

Particularly suitable substances which irritate the nasal passages and/or pharynx are those which cause burning, itching, an urge to sneeze, increased formation of secretions or a combination of at least two of these stimuli. Appropriate substances and the quantities thereof which are conventionally to be used are known per se to the skilled person or may be identified by simple preliminary testing.

The substance which irritates the nasal passages and/or pharynx of component (a) is preferably based on one or more constituents or one or more plant parts of at least one hot substance drug.

Corresponding hot substance drugs are known per se to the person skilled in the art and are described, for example, in "Pharmazeutische Biologie—Drogen und ihre Inhaltsstoffe" by Prof. Dr. Hildebert Wagner, 2nd., revised edition, Gustav Fischer Verlag, Stuttgart-New York, 1982, pages 82 et seq. The corresponding description is hereby introduced as a reference and is deemed to be part of the disclosure.

The dosage form according to the invention may preferably contain the plant parts of the corresponding hot substance drugs in a quantity of 0.01 to 30 wt. %, particularly preferably of 0.1 to 0.5 wt. %, in each case relative to the total weight dosage unit.

If one or more constituents of corresponding hot substance drugs are used, the quantity thereof in a dosage unit according to the invention preferably amounts to 0.001 to 0.005 wt. %, relative to the total weight of the dosage unit.

A dosage unit is taken to mean a separate or separable administration unit, such as for example a tablet or a capsule.

One or more constituents of at least one hot substance drug selected from the group consisting of *Allii sativi bulb* (garlic), *Asari rhizoma cum herba* (*Asarum* root and leaves), *Calami rhizoma* (*calamus* root), *Capsici fructus* (*capsicum*), *Capsici fructus acer* (cayenne pepper), *Curcuma longae rhizoma* (turmeric root), *Curcuma xanthorrhizae rhizoma* (Javanese turmeric root), *Galangae rhizoma* (galangal root), *Myristicae semen* (nutmeg), *Piperis nigri fructus* (pepper), *Sinapis albae semen* (white mustard seed), *Sinapis nigri semen* (black mustard seed), *Zedoariae rhizoma* (zedoary root) and *Zingiberis rhizoma* (ginger root), particularly preferably from the group consisting of *Capsici fructus* (*capsicum*), *Capsici fructus acer* (cayenne pepper) and *Piperis nigri fructus* (pepper) may preferably be added as component (a) to the dosage form according to the invention.

The constituents of the hot substance drugs preferably comprise o-methoxy(methyl)phenol compounds, acid amide compounds, mustard oils or sulfide compounds or compounds derived therefrom.

Particularly preferably, at least one constituent of the hot substance drugs is selected from the group consisting of myristicin, elemicin, isoeugenol, β -asarone, saffrole, gingerols, xanthorrhizol, capsaicinoids, preferably capsaicin,

8

capsaicin derivatives, such as N-vanillyl-9E-octadecanamide, dihydrocapsaicin, nordihydrocapsaicin, homocapsaicin, norcapsaicin and norcapsaicin, piperine, preferably trans-piperine, glucosinolates, preferably based on non-volatile mustard oils, particularly preferably based on p-hydroxybenzyl mustard oil, methylmercapto mustard oil or methylsulfonyl mustard oil, and compounds derived from these constituents.

Another option for preventing abuse of the dosage form according to the invention consists in adding at least one viscosity-increasing agent as a further abuse-preventing component (b) to the dosage form, which, with the assistance of a necessary minimum quantity of an aqueous liquid, forms a gel with the extract obtained from the dosage form, which gel is virtually impossible to administer safely and preferably remains visually distinguishable when introduced into a further quantity of an aqueous liquid.

For the purposes of the present invention visually distinguishable means that the active ingredient-containing gel formed with the assistance of a necessary minimum quantity of aqueous liquid, when introduced, preferably with the assistance of a hypodermic needle, into a further quantity of aqueous liquid at 37° C., remains substantially insoluble and cohesive and cannot straightforwardly be dispersed in such a manner that it can safely be administered parenterally, in particular intravenously. The material preferably remains visually distinguishable for at least one minute, preferably for at least 10 minutes.

The increased viscosity of the extract makes it more difficult or even impossible for it to be passed through a needle or injected. If the gel remains visually distinguishable, this means that the gel obtained on introduction into a further quantity of aqueous liquid, for example by injection into blood, initially remains in the form of a largely cohesive thread, which, while it may indeed be broken up into smaller fragments, cannot be dispersed or even dissolved in such a manner that it can safely be administered parenterally, in particular intravenously. In combination with at least one optionally present component (a) to (e), this additionally leads to unpleasant burning, vomiting, bad flavour and/or visual deterrence.

Intravenous administration of such a gel would most probably result in obstruction of blood vessels, associated with serious embolism or even death of the abuser.

In order to verify whether a viscosity-increasing agent is suitable as component (b) for use in the dosage form according to the invention, the active ingredient is mixed with the viscosity-increasing agent and suspended in 10 ml of water at a temperature of 25° C. If this results in the formation of a gel which fulfils the above-stated conditions, the corresponding viscosity-increasing agent is suitable for preventing or averting abuse of the dosage forms according to the invention.

If component (b) is added to the dosage form according to the invention, one or more viscosity-increasing agents are used which are selected from the group consisting of microcrystalline cellulose with 11 wt. % carboxymethylcellulose sodium (Avicel® RC 591), carboxymethylcellulose sodium (Blanose®, CMC-Na C300P®, Frimulsion BLC-5®, Tylose C300 P®), polyacrylic acid (Carbopol® 980 NF, Carbopol® 981), locust bean flour (Cesagum® LA-200, Cesagum® LID/150, Cesagum® LN-1), pectins such as citrus pectin (Cesapectin® HM Medium Rapid Set), apple pectin, pectin from lemon peel, waxy maize starch (C*Gel 04201®), sodium alginate (Frimulsion ALG (E401)®), guar flour (Frimulsion BM®, Polygum 26/1-75®), iota carrageen (Frimulsion D021®), karaya gum, gellan gum (Kelcogel F®, Kelcogel LT100®), galactomannan (Meyprogat 150®), tara bean flour

US 8,114,383 B2

9

(Polygum 43/1), propylene glycol alginate (Protanal-Ester SD-LB®), sodium hyaluronate, tragacanth, tara gum (Vidogum SP 200®), fermented polysaccharide welan gum (K1A96), xanthan gum (Xantural 180®). Xanthans are particularly preferred. The names stated in brackets are the trade names by which the materials are known commercially. In general, a quantity of 0.1 to 5 wt. % of the viscosity-increasing agent(s) is sufficient to fulfil the above-stated conditions.

The component (b) viscosity-increasing agents, where provided, are preferably present in the dosage form according to the invention in quantities of ≥ 5 mg per dosage unit, i.e. per administration unit.

In a particularly preferred embodiment of the present invention, the viscosity-increasing agents used as component (b) are those which, on extraction from the dosage form with the necessary minimum quantity of aqueous liquid, form a gel which encloses air bubbles. The resultant gels are distinguished by a turbid appearance, which provides the potential abuser with an additional optical warning and discourages him/her from administering the gel parenterally.

It is also possible to formulate the viscosity-increasing agent and the other constituents in the dosage form according to the invention in a mutually spatially separated arrangement.

In order to discourage and prevent abuse, the dosage form according to the invention may furthermore comprise component (c), namely one or more antagonists for the active ingredient or active ingredients with abuse potential, wherein the antagonists are preferably spatially separated from the remaining constituents of the invention dosage according to the form and, when correctly used, do not exert any effect.

Suitable antagonists for preventing abuse of the active ingredients are known per se to the person skilled in the art and may be present in the dosage form according to the invention as such or in the form of corresponding derivatives, in particular esters or ethers, or in each case in the form of corresponding physiologically acceptable compounds, in particular in the form of the salts or solvates thereof.

If the active ingredient present in the dosage form is an opiate or an opioid, the antagonist used is preferably an antagonist selected from the group consisting of naloxone, naltrexone, nalmefene, nalid, nalmexone, nalorphine or naluphine, in each case optionally in the form of a corresponding physiologically acceptable compound, in particular in the form of a base, a salt or solvate. The corresponding antagonists, where component (c) is provided, are preferably used in a quantity of ≥ 10 mg, particularly preferably in a quantity of 10 to 100 mg, very particularly preferably in a quantity of 10 to 50 mg per dosage form, i.e. per administration unit.

If the dosage form according to the invention comprises a stimulant as active ingredient, the antagonist is preferably a neuroleptic, preferably at least one compound selected from the group consisting of haloperidol, promethazine, fluphenazine, perphenazine, levomepromazine, thioridazine, perazine, chlorpromazine, chlorprothixine, zuclopentixol, flupentixol, prothipendyl, zotepine, benperidol, pipamperone, melperone and bromperidol.

The dosage form according to the invention preferably comprises these antagonists in a conventional therapeutic dose known to the person skilled in the art, particularly preferably in a quantity of twice to four times the conventional dose per administration unit.

If the combination to discourage and prevent abuse of the dosage form according to the invention comprises component (d), it may comprise at least one emetic, which is preferably present in a spatially separated arrangement from the other

10

components of the dosage form according to the invention and, when correctly used, is intended not to exert its effect in the body.

Suitable emetics for preventing abuse of an active ingredient are known per se to the person skilled in the art and may be present in the dosage form according to the invention as such or in the form of corresponding derivatives, in particular esters or ethers, or in each case in the form of corresponding physiologically acceptable compounds, in particular in the form of the salts or solvates thereof.

An emetic based on one or more constituents of radix ipecacuanha (ipecac root), preferably based on the constituent emetine may preferably be considered in the dosage form according to the invention, as are, for example, described in "Pharmazeutische Biologie—Drogen und ihre Inhaltsstoffe" by Prof. Dr. Hildebert Wagner, 2nd, revised edition, Gustav Fischer Verlag, Stuttgart, New York, 1982. The corresponding literature description is hereby introduced as a reference and is deemed to be part of the disclosure.

The dosage form according to the invention may preferably comprise the emetic emetine as component (d), preferably in a quantity of ≥ 10 mg, particularly preferably of ≥ 20 mg and very particularly preferably in a quantity of ≥ 40 mg per dosage form, i.e. administration unit.

Apomorphine may likewise preferably be used as an emetic in the abuse-proofing according to the invention, preferably in a quantity of preferably ≥ 3 mg, particularly preferably of ≥ 5 mg and very particularly preferably of ≥ 7 mg per administration unit.

If the dosage form according to the invention contains component (e) as a further abuse-preventing auxiliary substance, the use of a such a dye brings about an intense coloration of a corresponding aqueous solution, in particular when the attempt is made to extract the active ingredient for parenteral, preferably intravenous administration, which coloration may act as a deterrent to the potential abuser. Oral abuse, which conventionally begins by means of aqueous extraction of the active ingredient, may also be prevented by this coloration. Suitable dyes and the quantities required for the necessary deterrence may be found in WO 03/015531, wherein the corresponding disclosure should be deemed to be part of the present disclosure and is hereby introduced as a reference.

If the dosage form according to the invention contains component (f) as a further abuse-preventing auxiliary substance, this addition of at least one bitter substance and the consequent impairment of the flavour of the dosage form additionally prevents oral and/or nasal abuse.

Suitable bitter substances and the quantities effective for use may be found in US-2003/0064099 A1, the corresponding disclosure of which should be deemed to be the disclosure of the present application and is hereby introduced as a reference. Suitable bitter substances are preferably aromatic oils, preferably peppermint oil, eucalyptus oil, bitter almond oil, menthol, fruit aroma substances, preferably aroma substances from lemons, oranges, limes, grapefruit or mixtures thereof, and/or denatonium benzoate.

The solid dosage form according to the invention is suitable to be taken orally or rectally, preferably orally. The orally administrable dosage form according to the invention may assume multiparticulate form, preferably in the form of microtablets, microcapsules, micropellets, granules, spheroids, beads or pellets, optionally packaged in capsules or pressed into tablets. The multiparticulate forms preferably have a size or size distribution in the range from 0.1 to 3 mm, particularly preferably in the range from 0.5 to 2 mm.

US 8,114,383 B2

11

Depending on the desired dosage form, conventional auxiliary substances (B) are optionally also used for the formulation of the dosage form.

The solid, abuse-proofed dosage form according to the invention is preferably produced by mixing the components (A), (B), (C) and optionally (D) and at least one of the optionally present further abuse-preventing components (a)-(f) and, optionally after granulation, press-forming the resultant mixture to yield the dosage form with preceding, simultaneous, or subsequent exposure to heat.

Mixing of components (A), (B), (C) and optionally (D) and of the optionally present further components (a)-(f) proceeds in a mixer known to the person skilled in the art. The mixer may, for example, be a roll mixer, shaking mixer, shear mixer or compulsory mixer.

The resultant mixture is preferably formed directly by application of pressure to yield the dosage form according to the invention with preceding, simultaneous or subsequent exposure to heat. The mixture may, for example, be formed into tablets by direct tableting. In direct tableting with simultaneous exposure to heat, the tableting tool, i.e. bottom punch, top punch and die are briefly heated at least to the softening temperature of the polymer (C) and pressed together. In direct tableting with subsequent exposure to heat, the formed tablets are briefly heated at least to the softening temperature (glass transition temperature, melting temperature; sintering temperature) of component (C) and cooled again. In direct tableting with preceding exposure to heat, the material to be pressed is heated immediately prior to tableting at least to the softening temperature of component (C) and then pressed.

The resultant mixture of components (A), (B), (C) and optionally (D) and the optionally present components (a) to (f) may also first be granulated and then be formed with preceding, simultaneous, or subsequent exposure to heat to yield the dosage form according to the invention.

In a further preferred embodiment, the dosage form according to the invention assumes the form of a tablet, a capsule or is in the form of an oral osmotic therapeutic system (OROS), preferably if at least one further abuse-preventing component (a)-(f) is also present.

If components (c) and/or (d) and/or (f) are present in the dosage form according to the invention, care must be taken to ensure that they are formulated in such a manner or are present in such a low dose that, when correctly administered, the dosage form is able to bring about virtually no effect which impairs the patient or the efficacy of the active ingredient.

If the dosage form according to the invention contains component (d) and/or (f), the dosage must be selected such that, when correctly orally administered, no negative effect is caused. If, however, the intended dosage of the dosage form is exceeded inadvertently, in particular by children, or in the event of abuse, nausea or an inclination to vomit or a bad flavour are produced. The particular quantity of component (d) and/or (f) which can still be tolerated by the patient in the event of correct oral administration may be determined by the person skilled in the art by simple preliminary testing.

If, however, irrespective of the fact that the dosage form according to the invention is virtually impossible to pulverise, the dosage form containing the components (c) and/or (d) and/or (f) is provided with protection, these components should preferably be used at a dosage which is sufficiently high that, when abusively administered, they bring about an intense negative effect on the abuser. This is preferably achieved by spatial separation of at least the active ingredient or active ingredients from components (c) and/or (d) and/or

12

(f), wherein the active ingredient or active ingredients is/are present in at least one subunit (X) and components (c) and/or (d) and/or (f) is/are present in at least one subunit (Y), and wherein, when the dosage form is correctly administered, components (c), (d) and (f) do not exert their effect on taking and/or in the body and the remaining components of the formulation, in particular component (C), are identical.

If the dosage form according to the invention comprises at least 2 of components (c) and (d) or (f), these may each be present in the same or different subunits (Y). Preferably, when present, all the components (c) and (d) and (f) are present in one and the same subunit (Y).

For the purposes of the present invention, subunits are solid formulations, which in each case, apart from conventional auxiliary substances known to the person skilled in the art, contain the active ingredient(s), at least one polymer (C) and optionally at least one of the optionally present components (a) and/or (b) and/or (e) or in each case at least one polymer (C) and the antagonist(s) and/or emetic(s) and/or component (e) and/or component (f) and optionally at least one of the optionally present components (a) and/or (b). Care must here be taken to ensure that each of the subunits is formulated in accordance with the above-stated process.

One substantial advantage of the separated formulation of active ingredients from components (c) or (d) or (f) in subunits (X) and (Y) of the dosage form according to the invention is that, when correctly administered, components (c) and/or (d) and/or (f) are hardly released on taking and/or in the body or are released in such small quantities that they exert no effect which impairs the patient or therapeutic success or, on passing through the patient's body, they are only liberated in locations where they cannot be sufficiently absorbed to be effective. When the dosage form is correctly administered, hardly any of components (c) and/or (d) and/or (f) is released into the patient's body or they go unnoticed by the patient.

The person skilled in the art will understand that the above-stated conditions may vary as a function of the particular components (c), (d) and/or (f) used and of the formulation of the subunits or the dosage form. The optimum formulation for the particular dosage form may be determined by simple preliminary testing. What is vital is that each subunit contains the polymer (C) and has been formulated in the stated manner.

Should, contrary to expectations, the abuser succeed in comminuting such a dosage form according to the invention, which comprises components (c) and/or (e) and/or (d) and/or (f) in subunits (Y), for the purpose of abusing the active ingredient and obtain a powder which is extracted with a suitable extracting agent, not only the active ingredient but also the particular component (c) and/or (e) and/or (f) and/or (d) will be obtained in a form in which it cannot readily be separated from the active ingredient, such that when the dosage form which has been tampered with is administered, in particular by oral and/or parenteral administration, it will exert its effect on taking and/or in the body combined with an additional negative effect on the abuser corresponding to component (c) and/or (d) and/or (f) or, when the attempt is made to extract the active ingredient, the coloration will act as a deterrent and so prevent abuse of the dosage form.

A dosage form according to the invention, in which the active ingredient or active ingredients is/are spatially separated from components (c), (d) and/or (e), preferably by formulation in different subunits, may be formulated in many different ways, wherein the corresponding subunits may each be present in the dosage form according to the invention in any desired spatial arrangement relative to one another, pro-

US 8,114,383 B2

13

vided that the above-stated conditions for the release of components (c) and/or (d) are fulfilled.

The person skilled in the art will understand that component(s) (a) and/or (b) which are optionally also present may preferably be formulated in the dosage form according to the invention both in the particular subunits (X) and (Y) and in the form of independent subunits corresponding to subunits (X) and (Y), provided that neither the abuse-proofing nor the active ingredient release in the event of correct administration is impaired by the nature of the formulation and the polymer (C) is included in the formulation and formulation is carried out in accordance with the above-stated process.

In a preferred embodiment of the dosage form according to the invention, subunits (X) and (Y) are present in multiparticulate form, wherein microtablets, microcapsules, micro-pellets, granules, spheroids, beads or pellets are preferred and the same form, i.e. shape, is selected for both subunit (X) and subunit (Y), such that it is not possible to separate subunits (X) from (Y) by mechanical selection. The multiparticulate forms are preferably of a size in the range from 0.1 to 3 mm, preferably of 0.5 to 2 mm.

The subunits (X) and (Y) in multiparticulate form may also preferably be packaged in a capsule or be pressed into a tablet, wherein the final formulation in each case proceeds in such a manner that the subunits (X) and (Y) are also retained in the resultant dosage form.

The multiparticulate subunits (X) and (Y) of identical shape should also not be visually distinguishable from one another so that the abuser cannot separate them from one another by simple sorting. This may, for example, be achieved by the application of identical coatings which, apart from this disguising function, may also incorporate further functions, such as, for example, controlled release of one or more active ingredients or provision of a finish resistant to gastric juices on the particular subunits.

In a further preferred embodiment of the present invention, subunits (X) and (Y) are in each case arranged in layers relative to one another.

The layered subunits (X) and (Y) are preferably arranged for this purpose vertically or horizontally relative to one another in the dosage form according to the invention, wherein in each case one or more layered subunits (X) and one or more layered subunits (Y) may be present in the dosage form, such that, apart from the preferred layer sequences (X)-(Y) or (X)-(Y)-(X), any desired other layer sequences may be considered, optionally in combination with layers containing components (a) and/or (b).

Another preferred dosage form according to the invention is one in which subunit (Y) forms a core which is completely enclosed by subunit (X), wherein a separation layer (Z) may be present between said layers. Such a structure is preferably also suitable for the above-stated multiparticulate forms, wherein both subunits (X) and (Y) and an optionally present separation layer (Z), which must satisfy the hardness requirement according to the invention, are formulated in one and the same multiparticulate form. In a further preferred embodiment of the dosage form according to the invention, the subunit (X) forms a core, which is enclosed by subunit (Y), wherein the latter comprises at least one channel which leads from the core to the surface of the dosage form.

The dosage form according to the invention may comprise, between one layer of the subunit (X) and one layer of the subunit (Y), in each case one or more, preferably one, optionally swellable separation layer (Z) which serves to separate subunit (X) spatially from (Y).

If the dosage form according to the invention comprises the layered subunits (X) and (Y) and an optionally present separation layer (Z) in an at least partially vertical or horizontal arrangement, the dosage form preferably takes the form of a tablet, a coextrudate or a laminate.

14

ration layer (Z) in an at least partially vertical or horizontal arrangement, the dosage form preferably takes the form of a tablet, a coextrudate or a laminate.

In one particularly preferred embodiment, the entirety of the free surface of subunit (Y) and optionally at least part of the free surface of subunit(s) (X) and optionally at least part of the free surface of the optionally present separation layer(s) (Z) may be coated with at least one barrier layer (Z') which prevents release of component (c) and/or (e) and/or (d) and/or (f). The barrier layer (Z') must also fulfil the hardness conditions according to the invention.

Another particularly preferred embodiment of the dosage form according to the invention comprises a vertical or horizontal arrangement of the layers of subunits (X) and (Y) and at least one push layer (p) arranged therebetween, and optionally a separation layer (Z), in which dosage form the entirety of the free surface of layer structure consisting of subunits (X) and (Y), the push layer and the optionally present separation layer (Z) is provided with a semipermeable coating (E), which is permeable to a release medium, i.e. conventionally a physiological liquid, but substantially impermeable to the active ingredient and to component (c) and/or (d) and/or (f), and wherein this coating (E) comprises at least one opening for release of the active ingredient in the area of subunit (X).

A corresponding dosage form is known to the person skilled in the art, for example under the name oral osmotic therapeutic system (OROS), as are suitable materials and methods for the production thereof, inter alia from U.S. Pat. No. 4,612,008, U.S. Pat. No. 4,765,989 and U.S. Pat. No. 4,783,337. The corresponding descriptions are hereby introduced as a reference and are deemed to be part of the disclosure.

In a further preferred embodiment, the subunit (X) of the dosage form according to the invention is in the form of a tablet, the edge face of which and optionally one of the two main faces is covered with a barrier layer (Z') containing component (c) and/or (d) and/or (f).

The person skilled in the art will understand that the auxiliary substances of the subunit(s) (X) or (Y) and of the optionally present separation layer(s) (Z) and/or of the barrier layer(s) (Z') used in formulating the dosage form according to the invention will vary as a function of the arrangement thereof in the dosage form according to the invention, the mode of administration and as a function of the particular active ingredient of the optionally present components (a) and/or (b) and/or (e) and of component (c) and/or (d) and/or (f). The materials which have the requisite properties are in each case known per se to the person skilled in the art.

If release of component (c) and/or (d) and/or (f) from subunit (Y) of the dosage form according to the invention is prevented with the assistance of a cover, preferably a barrier layer, the subunit may consist of conventional materials known to the person skilled in the art, providing that it contains at least one polymer (C) to fulfil the hardness condition of the dosage form according to the invention.

If a corresponding barrier layer (Z') is not provided to prevent release of component (c) and/or (d) and/or (f), the materials of the subunits should be selected such that release of the particular component (c) and/or (d) from subunit (Y) is virtually ruled out. The materials which are stated below to be suitable for production of the barrier layer may preferably be used for this purpose. The materials for the separation layer and/or barrier layer must contain at least one polymer (C) in order to fulfil the hardness conditions.

Preferred materials are those which are selected from the group consisting of alkylcelluloses, hydroxyalkylcelluloses, glucans, scleroglucans, mannans, xanthans, copolymers of

US 8,114,383 B2

15

poly[bis(p-carboxyphenoxy)propane and sebacic acid, preferably in a molar ratio of 20:80 (commercially available under the name Polifeprosan 20®), carboxymethylcelluloses, cellulose ethers, cellulose esters, nitrocelluloses, polymers based on (meth)acrylic acid and the esters thereof, polyamides, polycarbonates, polyalkylenes, polyalkylene glycols, polyalkylene oxides, polyalkylene terephthalates, polyvinyl alcohols, polyvinyl ethers, polyvinyl esters, halogenated polyvinyls, polyglycolides, polysiloxanes and polyurethanes and the copolymers thereof.

Particularly suitable materials may be selected from the group consisting of methylcellulose, ethylcellulose, hydroxypropylcellulose, hydroxypropylmethylcellulose, hydroxybutylmethylcellulose, cellulose acetate, cellulose propionate (of low, medium or high molecular weight), cellulose acetate propionate, cellulose acetate butyrate, cellulose acetate phthalate, carboxymethylcellulose, cellulose triacetate, sodium cellulose sulfate, polymethyl methacrylate, polyethyl methacrylate, polybutyl methacrylate, polyisobutyl methacrylate, polyhexyl methacrylate, polyisodecyl methacrylate, polylauryl methacrylate, polyphenyl methacrylate, polymethyl acrylate, polyisopropyl acrylate, polyisobutyl acrylate, polyoctadecyl acrylate, polyethylene, low density polyethylene, high density polyethylene, polypropylene, polyethylene glycol, polyethylene oxide, polyethylene terephthalate, polyvinyl alcohol, polyvinyl isobutyl ether, polyvinyl acetate and polyvinyl chloride.

Particularly suitable copolymers may be selected from the group consisting of copolymers of butyl methacrylate and isobutyl methacrylate, copolymers of methyl vinyl ether and maleic acid with high molecular weight, copolymers of methyl vinyl ether and maleic acid monoethyl ester, copolymers of methyl vinyl ether and maleic anhydride and copolymers of vinyl alcohol and vinyl acetate.

Further materials which are particularly suitable for formulating the barrier layer are starch-filled polycaprolactone (WO98/20073), aliphatic polyesteramides (DE 19 753 534 A1, DE 19 800 698 A1, EP 0 820 698 A1), aliphatic and aromatic polyester urethanes (DE 19822979), polyhydroxyalkanoates, in particular polyhydroxybutyrates, polyhydroxyvalerates, casein (DE 4 309 528), polylactides and copolylactides (EP 0 980 894 A1). The corresponding descriptions are hereby introduced as a reference and are deemed to be part of the disclosure.

The above-stated materials may optionally be blended with further conventional auxiliary substances known to the person skilled in the art, preferably selected from the group consisting of glyceryl monostearate, semi-synthetic triglyceride derivatives, semi-synthetic glycerides, hydrogenated castor oil, glyceryl palmitostearate, glyceryl behenate, polyvinylpyrrolidone, gelatine, magnesium stearate, stearic acid, sodium stearate, talcum, sodium benzoate, boric acid and colloidal silica, fatty acids, substituted triglycerides, glycerides, polyoxyalkylene glycols and the derivatives thereof.

If the dosage form according to the invention comprises a separation layer (Z'), said layer, like the uncovered subunit (Y), may preferably consist of the above-stated materials described for the barrier layer. The person skilled in the art will understand that release of the active ingredient or of component (c) and/or (d) from the particular subunit may be controlled by the thickness of the separation layer.

The dosage form according to the invention may comprise one or more active ingredients at least partially in controlled release form, wherein controlled release may be achieved with the assistance of conventional materials and methods known to the person skilled in the art, for example by embedding the active ingredient in a controlled release matrix or by

16

the application of one or more controlled release coatings. Active ingredient release must, however, be controlled such that the above-stated conditions are fulfilled in each case, for example that, in the event of correct administration of the dosage form, the active ingredient or active ingredients are virtually completely released before the optionally present component (c) and/or (d) can exert an impairing effect.

Controlled release from the dosage form according to the invention is preferably achieved by embedding the active ingredient in a matrix. The auxiliary substances acting as matrix materials control active ingredient release. Matrix materials may, for example, be hydrophilic, gel-forming materials, from which active ingredient release proceeds mainly by diffusion, or hydrophobic materials, from which active ingredient release proceeds mainly by diffusion from the pores in the matrix.

Physiologically acceptable, hydrophobic materials which are known to the person skilled in the art may be used as matrix materials. Polymers, particularly preferably cellulose ethers, cellulose esters and/or acrylic resins are preferably used as hydrophilic matrix materials. Ethylcellulose, hydroxypropylmethylcellulose, hydroxypropylcellulose, hydroxymethylcellulose, poly(meth)acrylic acid and/or the derivatives thereof, such as the salts, amides or esters thereof are very particularly preferably used as matrix materials.

Matrix materials prepared from hydrophobic materials, such as hydrophobic polymers, waxes, fats, long-chain fatty acids, fatty alcohols or corresponding esters or ethers or mixtures thereof are also preferred. Mono- or diglycerides of C12-C30 fatty acids and/or C12-C30 fatty alcohols and/or waxes or mixtures thereof are particularly preferably used as hydrophobic materials.

It is also possible to use mixtures of the above-stated hydrophilic and hydrophobic materials as matrix materials.

Component (C) and the optionally present component (D), which serve to achieve the breaking strength of at least 500 N which is necessary according to the invention may furthermore also optionally serve as additional matrix materials.

If the dosage form according to the invention is intended for oral administration, it may also preferably comprise a coating which is resistant to gastric juices and dissolves as a function of the pH value of the release environment. By means of this coating, it is possible to ensure that the dosage form according to the invention passes through the stomach undissolved and the active ingredient is only released in the intestines. The coating which is resistant to gastric juices preferably dissolves at a pH value of between 5 and 7.5.

Corresponding materials and methods for the controlled release of active ingredients and for the application of coatings which are resistant to gastric juices are known to the person skilled in the art, for example from "Coated Pharmaceutical Dosage Forms—Fundamentals, Manufacturing Techniques, Biopharmaceutical Aspects, Test Methods and Raw Materials" by Kurt H. Bauer, K. Lehmann, Hermann P. Osterwald, Rothgang, Gerhart, 1st edition, 1998, Medpharm Scientific Publishers. The corresponding literature description is hereby introduced as a reference and is deemed to be part of the disclosure.

Method for Determining Breaking Strength

A) In order to verify whether a polymer may be used as component (C), the polymer is pressed to form a tablet with a diameter of 10 mm and a height of 5 mm using a force of 150 N at a temperature which at least corresponds to the softening point of the polymer and is determined with the assistance of a DSC diagram of the polymer. Using tablets produced in this manner, breaking strength is determined with the apparatus described below in accordance with the method for determin-

US 8,114,383 B2

17

ing the breaking strength of tablets published in the European Pharmacopoeia 1997, page 143-144, method no. 2.9.8. The apparatus used for the measurement is a series 3300 universal tester, single column benchtop model no. 3345 from Instron®, Canton, Mass., USA. The clamping tool used is a pressure piston with a diameter of 25 mm, which can be subjected to a load of up to 1 kN (item no. 2501-3 from Instron®).

An Instron® universal tester, single column benchtop model no. 5543, with the above-stated clamping tool may also be used to carry out the measurement.

The tablets deemed to be resistant to breaking under a specific load include not only those which have not broken but also those which may have suffered plastic deformation under the action of the force.

Providing that the dosage form is in tablet form, breaking strength may be determined using the same measurement method.

The following Examples illustrate the invention purely by way of example and without restricting the general concept of the invention.

EXAMPLES

Tramadol hydrochloride was used as the active ingredient in a series of Examples. Tramadol hydrochloride was used, despite tramadol not being an active ingredient which conventionally has abuse potential, because it is not governed by German narcotics legislation, so simplifying the experimental work. Tramadol is moreover a member of the opioid class with excellent water solubility.

Example 1

Components	Per tablet	Complete batch
Tramadol hydrochloride	100 mg	100 g
Polyethylene oxide, NF, MFI (190° C. at 21.6 kg/10 min) <0.5 g	200 mg	200 g
MW 7 000 000 (Polyox WSR 303, Dow Chemicals)		
Total weight	300 mg	300 g

Tramadol hydrochloride and polyethylene oxide powder were mixed in a free-fall mixer. A tableting tool with top punch, bottom punch and die for tablets with a diameter of 10 mm and a radius of curvature of 8 mm was heated to 80° C. in a heating cabinet. 300 mg portions of the powder mixture were pressed with the heated tool, wherein pressure was maintained for at least 15 seconds by clamping the tableting tool in a vice.

The breaking strength of the tablets was determined with the stated apparatus in accordance with the stated method. The tablets did not break when exposed to a force of 500 N. The tablet could not be comminuted using a hammer, nor with the assistance of a mortar and pestle.

In vitro release of the active ingredient from the preparation was determined in a paddle stirrer apparatus in accordance with Pharm. Eur. The temperature of the release medium was 37° C. and the rotational speed of the stirrer 75 min⁻¹. At the beginning of the investigation, each tablet was placed in a 600 ml portion of artificial gastric juice, pH 1.2. After 30 minutes, the pH value was increased to 2.3 by addition of alkali solution, after a further 90 minutes to pH 6.5 and

18

after a further 60 minutes to pH 7.2. The released quantity of active ingredient present in the dissolution medium at each point in time was determined by spectrophotometry.

Time	Released quantity
30 min	15%
240 min	52%
480 min	80%
720 min	99%

Example 2

300 mg portions of the powder mixture from Example 1 were heated to 80° C. and in placed in the die of the tableting tool. Pressing was then performed. The tablet exhibits the same properties such as the tablet in Example 1.

Example 3

Raw material	Per tablet	Complete batch
Tramadol hydrochloride	50 mg	100 g
Polyethylene oxide, NF, MW 7 000 000 (Polyox WSR 303, Dow Chemicals)	100 mg	200 g
Total weight	150 mg	300 g

Tramadol hydrochloride and the above-stated components were mixed in a free-fall mixer. A tableting tool with top punch, bottom punch and die for tablets with a diameter of 7 mm was heated to 80° C. in a heating cabinet. 150 mg portions of the powder mixture were pressed with the heated tool, wherein pressure was maintained for at least 15 seconds by clamping the tableting tool in a vice.

The breaking strength of the tablets was determined with the stated apparatus in accordance with the stated method. The tablets did not break when exposed to a force of 500 N.

In vitro release of the active ingredient was determined as in Example 1 and was:

Time	Released quantity
30 min	15%
240 min	62%
480 min	88%
720 min	99%

Example 4

Raw material	Per tablet	Complete batch
Tramadol hydrochloride	100 mg	100 g
Polyethylene oxide, NF, MW 7 000 000 (Polyox WSR	180 mg	180 g

US 8,114,383 B2

19

-continued

Raw material	Per tablet	Complete batch
303, Dow Chemicals) Xanthan, NF	20 mg	20 g
Total weight	300 mg	300 g

Tramadol hydrochloride, xanthan and polyethylene oxide were mixed in a free-fall mixer. A tableting tool with top punch, bottom punch and die for tablets with a diameter of 10 mm and a radius of curvature of 8 mm was heated to 80° C. in a heating cabinet. 300 mg portions of the powder mixture were pressed with the heated tool, wherein pressure was maintained for at least 15 seconds by clamping the tableting tool in a vice.

The breaking strength of the tablets was determined with the stated apparatus in accordance with the stated method. The tablets did not break when exposed to a force of 500 N. The tablets did suffer a little plastic deformation.

In vitro release of the active ingredient was determined as in Example 1 and was:

Time	Released quantity
30 min	14%
240 min	54%
480 min	81%
720 min	99%

The tablets could be cut up with a knife into pieces of an edge length of as small as approx. 2 mm. No further comminution proceeding as far as pulverisation was possible. When the pieces are combined with water, a highly viscous gel is formed. Only with great difficulty could the gel be pressed through a 0.9 mm injection cannula. When the gel was injected into water, the gel did not spontaneously mix with water, but remained visually distinguishable.

Example 5

Raw material	Per tablet	Complete batch
Tramadol hydrochloride	50 mg	100 g
Polyethylene oxide, NF, MW 7 000 000 (Polyox WSR 303, Dow Chemicals)	90 mg	180 g
Xanthan, NF	10 mg	20 g
Total weight	300 mg	300 g

Tramadol hydrochloride, xanthan and polyethylene oxide were mixed in a free-fall mixer. A tableting tool with a top punch, bottom punch and die for oblong tablets 10 mm in length and 5 mm in width was heated to 90° C. in a heating cabinet. 150 mg portions of the powder mixture were pressed with the heated tool, wherein pressure was maintained for at least 15 seconds by clamping the tableting tool in a vice.

The breaking strength of the tablets was determined with the stated apparatus in accordance with the stated method. The tablets did not break when exposed to a force of 500 N. The tablets did suffer a little plastic deformation.

20

In vitro release of the active ingredient was determined as in Example 1 and was:

Time	Released quantity
30 min	22%
120 min	50%
240 min	80%
360 min	90%
480 min	99%

The tablets could be cut up into pieces of an edge length of as small as approx. 2 mm, but could not be pulverised. When the pieces are combined with water, a highly viscous gel is formed. Only with great difficulty could the gel be pressed through a 0.9 mm injection cannula. When the gel was injected into water, the gel did not spontaneously mix with water, but remained visually distinguishable.

Example 6

A tablet with the following composition was produced as described in Example 1:

Components	Per tablet	Per batch
Oxycodone hydrochloride	20.0 mg	0.240 g
Xanthan, NF	20.0 mg	0.240 g
Polyethylene oxide, NF, MFI (190° C. at 21.6 kg/10 min) <0.5 g MW 7 000 000 (Polyox WSR 303, Dow Chemicals)	110.0 mg	1.320 g
Total weight	150.0 mg	1.800 g

Release of the active ingredient was determined as follows:

In vitro release of the active ingredient from the preparation was determined in a paddle stirrer apparatus in accordance with Pharm. Eur. The temperature of the release medium was 37° C. and the rotational speed 75 rpm. The phosphate buffer, pH 6.8, described in DSP served as the release medium. The quantity of active ingredient present in the solvent at the particular time of testing was determined by spectrophotometry.

Time	Mean
0 min	0%
30 min	17%
240 min	61%
480 min	90%
720 min	101.1%

The breaking strength of the tablets was determined with the stated apparatus in accordance with the stated method. The tablets did not break when exposed to a force of 500 N.

The tablets could be cut up into pieces of an edge length of as small as approx. 2 mm, but could not be pulverised. When the pieces are combined with water, a highly viscous gel is formed. Only with great difficulty could the gel be pressed through a 0.9 mm injection cannula. When the gel was injected into water, the gel did not spontaneously mix with water, but remained visually distinguishable.

US 8,114,383 B2

21

What is claimed is:

1. A thermoformed dosage form comprising:

- i) one or more active ingredients with abuse potential (A) selected from the group consisting of opiates and opioids,
- ii) optionally physiologically acceptable auxiliary substances (B),
- iii) at least 30% by weight of polyalkylene oxide (C) having a molecular weight of 1-15 million according to rheological measurements, and
- iv) optionally at least one wax (D),

wherein said dosage form has a breaking strength of at least 500 N and wherein the active ingredient with abuse potential (A) is present in a controlled release matrix of component (C).

2. The dosage form according to claim 1, which is in the form of a tablet.

3. The dosage form according to claim 1, wherein the wax (D) is at least one natural, semi-synthetic or synthetic wax with a softening point of at least 60° C.

22

4. The dosage form according to claim 3, wherein the wax (D) is carnauba wax or beeswax.

5. A process for the production of a dosage form according to claim 1, said process comprising mixing components (A), the optionally present component (B), component (C) and the optionally present component (D) to form a mixture and, optionally after granulation, press-forming the mixture with preceding, simultaneous, or subsequent exposure to heat.

6. A process according to claim 5, wherein granulation is performed by means of a melt process.

7. A dosage form obtained by the process of claim 5.

8. The dosage form according to claim 1, wherein the active ingredient with abuse potential (A) is oxycodone or a physiologically acceptable salt thereof.

9. The dosage form according to claim 1, wherein the active ingredient with abuse potential (A) is oxymorphone or a physiologically acceptable salt thereof.

* * * * *

EXHIBIT D

(12) **United States Patent**
Arkenau-Maric et al.

(10) **Patent No.:** **US 8,192,722 B2**
(45) **Date of Patent:** ***Jun. 5, 2012**

(54) **ABUSE-PROOF DOSAGE FORM**

(75) Inventors: **Elisabeth Arkenau-Maric**, Köln (DE);
Johannes Bartholomäus, Aachen (DE);
Heinrich Kugelmann, Aachen (DE)

(73) Assignee: **Grunenthal GmbH**, Aachen (DE)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 664 days.

This patent is subject to a terminal disclaimer.

(21) Appl. No.: **12/140,665**

(22) Filed: **Jun. 17, 2008**

(65) **Prior Publication Data**

US 2008/0311049 A1 Dec. 18, 2008

Related U.S. Application Data

(60) Division of application No. 11/462,216, filed on Aug. 3, 2006, which is a continuation-in-part of application No. 11/349,544, filed on Feb. 6, 2006, which is a continuation-in-part of application No. 11/348,295, filed on Feb. 6, 2006, which is a continuation-in-part of application No. 10/718,112, filed on Nov. 20, 2003.

(30) **Foreign Application Priority Data**

Aug. 6, 2003 (DE) 10 336 400
Feb. 4, 2005 (DE) 10 2005 005 446

(51) **Int. Cl.**

A61K 31/485 (2006.01)
A61K 9/20 (2006.01)
A61K 49/00 (2006.01)
A61K 9/14 (2006.01)
A01N 43/42 (2006.01)

(52) **U.S. Cl.** 424/10.1; 424/465; 424/484; 514/282

(58) **Field of Classification Search** 424/10.1,
424/465, 484; 514/282
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

3,806,603 A 4/1974 Gaunt et al.
3,865,108 A 2/1975 Hartop
3,966,747 A 6/1976 Monkovic et al.
3,980,766 A 9/1976 Shaw et al.
4,002,173 A 1/1977 Manning et al.
4,014,965 A 3/1977 Stube et al.
4,070,494 A 1/1978 Hoffmeister et al.

(Continued)

FOREIGN PATENT DOCUMENTS

AR 46994 12/2004

(Continued)

OTHER PUBLICATIONS

V.K. Thoma et al., "Bestimmung der In-vitro-Freigabe von schwach basischen Wirkstoffen aus Retardarzneiformen," Pharm. Ind. 51, Nr. 3 (1989).

(Continued)

Primary Examiner — Robert A Wax

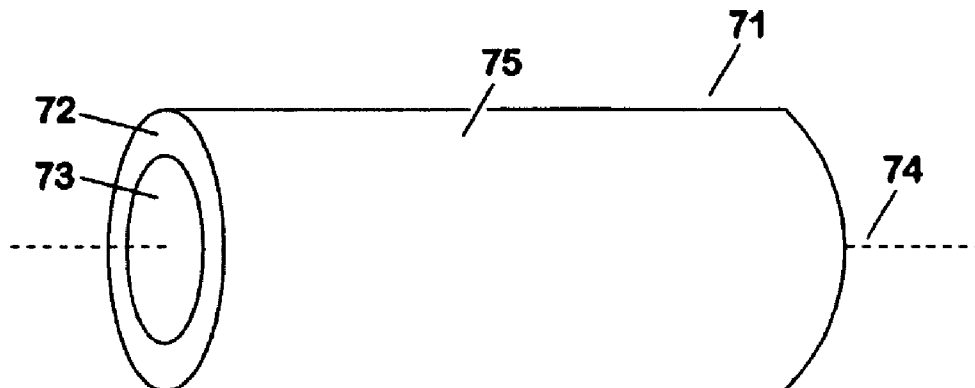
Assistant Examiner — Aradhana Sasan

(74) *Attorney, Agent, or Firm* — Norris McLaughlin & Marcus, P.A.

(57) **ABSTRACT**

The invention relates to a dosage form that is thermoformed without discoloration and is safeguarded from abuse, comprising at least one synthetic or natural polymer having a breaking strength of at least 500 N in addition to one or more active substances that could be subject to abuse. The invention also relates to a corresponding method for producing said dosage form.

27 Claims, 2 Drawing Sheets



US 8,192,722 B2

Page 2

U.S. PATENT DOCUMENTS					
4,070,497 A	1/1978	Wisner et al.	6,318,650 B1	11/2001	Breitenbach et al.
4,175,119 A	11/1979	Porter	6,340,475 B2	1/2002	Shell et al.
4,200,704 A	4/1980	Stanley et al.	6,344,535 B1	2/2002	Timmermann et al.
4,207,893 A	6/1980	Michaels	6,348,469 B1	2/2002	Seth
4,262,017 A	4/1981	Kuipers et al.	6,375,963 B1	4/2002	Repka et al.
4,343,789 A	8/1982	Kawata et al.	6,399,100 B1	6/2002	Clancy et al.
4,353,887 A	10/1982	Hess	6,419,954 B1	7/2002	Chu et al.
4,404,183 A	9/1983	Kawata et al.	6,436,441 B1	8/2002	Sako et al.
4,427,681 A	1/1984	Munshi	6,461,644 B1	10/2002	Jackson et al.
4,462,941 A	7/1984	Lee et al.	6,488,962 B1	12/2002	Berner et al.
4,603,143 A	7/1986	Schmidt	6,488,963 B1	12/2002	McGinity et al.
4,612,008 A	9/1986	Wong et al.	6,534,089 B1	3/2003	Ayer et al.
4,629,621 A	12/1986	Snipes	6,547,997 B1	4/2003	Breitenbach et al.
4,690,822 A	9/1987	Uemura et al.	6,562,375 B1	5/2003	Sako et al.
4,713,243 A	12/1987	Schiraldi et al.	6,592,901 B2	7/2003	Durig et al.
4,744,976 A	5/1988	Snipes et al.	6,635,280 B2	10/2003	Shell et al.
4,764,378 A	8/1988	Keith et al.	6,699,503 B1	3/2004	Sako et al.
4,765,989 A	8/1988	Wong et al.	6,723,340 B2	4/2004	Gusler et al.
4,774,074 A	9/1988	Snipes	6,733,783 B2	5/2004	Oshlack et al.
4,783,337 A	11/1988	Wong et al.	6,753,009 B2	6/2004	Luber et al.
4,806,337 A	2/1989	Snipes et al.	6,821,588 B1	11/2004	Hammer et al.
RE33,093 E	10/1989	Schiraldi et al.	7,141,250 B2	11/2006	Oshlack et al.
4,880,585 A	11/1989	Klimesch et al.	7,176,251 B1	2/2007	Bastioli et al.
4,892,778 A	1/1990	Theeuwes et al.	7,776,314 B2	8/2010	Bartholomäus et al.
4,892,889 A	1/1990	Kirk et al.	2001/0038852 A1	11/2001	Kolter et al.
4,940,556 A	7/1990	MacFarlane et al.	2002/0001270 A1	1/2002	Fukuchi et al.
4,957,668 A	9/1990	Plackard et al.	2002/0015730 A1	2/2002	Hoffmann et al.
4,957,681 A	9/1990	Klimesch et al.	2002/0051820 A1	5/2002	Shell et al.
4,960,814 A	10/1990	Wu et al.	2002/0114838 A1	8/2002	Ayer et al.
4,992,278 A	2/1991	Khanna	2002/0132359 A1	9/2002	Waterman
4,992,279 A	2/1991	Palmer et al.	2002/0187192 A1	12/2002	Joshi et al.
5,004,601 A	4/1991	Snipes	2003/0008409 A1	1/2003	Spearman et al.
5,051,261 A	9/1991	McGinity et al.	2003/0015814 A1	1/2003	Krull et al.
5,169,645 A	12/1992	Shukla et al.	2003/0017532 A1	1/2003	Biswas et al.
5,198,226 A	3/1993	MacFarlane et al.	2003/0021546 A1	1/2003	Sato
5,200,197 A	4/1993	Wright et al.	2003/0031546 A1	2/2003	Araki et al.
5,211,892 A	5/1993	Gueret et al.	2003/0044458 A1	3/2003	Wright, IV et al.
5,273,758 A	12/1993	Royce	2003/0044464 A1	3/2003	Ziegler et al.
5,350,741 A	9/1994	Takada	2003/0064099 A1	4/2003	Oshlack et al.
5,378,462 A	1/1995	Boedecker et al.	2003/0068276 A1	4/2003	Hughes et al.
5,427,798 A	6/1995	Ludwig et al.	2003/0068370 A1	4/2003	Sackler
RE34,990 E	7/1995	Khanna et al.	2003/0068371 A1	4/2003	Oshlack et al.
5,458,887 A	10/1995	Chen et al.	2003/0068392 A1	4/2003	Sackler
5,460,826 A	10/1995	Merrill et al.	2003/0091630 A1	5/2003	Louie-Helm et al.
5,556,640 A	9/1996	Ito et al.	2003/0104052 A1	6/2003	Berner et al.
5,562,920 A	10/1996	Demmer et al.	2003/0118641 A1	6/2003	Maloney et al.
5,601,842 A	2/1997	Bartholomäus	2003/0124185 A1	7/2003	Oshlack et al.
5,620,697 A	4/1997	Tormala et al.	2003/0125347 A1	7/2003	Anderson et al.
5,681,517 A	10/1997	Metzger	2003/0133985 A1	7/2003	Louie-Helm et al.
5,741,519 A	4/1998	Rosenberg et al.	2003/0152622 A1	8/2003	Louie-Helm et al.
5,792,474 A	8/1998	Rauchfuss	2003/0158242 A1	8/2003	Kugelman
5,801,201 A	9/1998	Graudums et al.	2003/0175326 A1	9/2003	Thombre
5,811,126 A	9/1998	Krishnamurthy	2003/0232895 A1	12/2003	Omidian et al.
5,849,240 A	12/1998	Miller et al.	2004/0010000 A1	1/2004	Ayer et al.
5,866,164 A	2/1999	Kuczynski et al.	2004/0011806 A1	1/2004	Luciano et al.
5,916,584 A	6/1999	O'Donoghue et al.	2004/0052731 A1	3/2004	Hirsh et al.
5,928,739 A	7/1999	Pophusen et al.	2004/0052844 A1	3/2004	Hsiao et al.
5,939,099 A	8/1999	Grabowski et al.	2004/0081694 A1	4/2004	Oshlack et al.
5,945,125 A	8/1999	Kim	2004/0091528 A1	5/2004	Rogers et al.
5,948,787 A	9/1999	Merrill et al.	2004/0131671 A1	7/2004	Zhang et al.
5,968,925 A	10/1999	Knidlberger	2004/0156899 A1	8/2004	Louie-Helm et al.
6,001,391 A	12/1999	Zeidler et al.	2004/0170567 A1	9/2004	Sackler
6,009,390 A	12/1999	Gupta et al.	2004/0185105 A1	9/2004	Berner et al.
6,009,690 A	1/2000	Rosenberg et al.	2004/0213848 A1	10/2004	Li et al.
6,077,538 A	6/2000	Merrill et al.	2005/0015730 A1	1/2005	Gunturi et al.
6,096,339 A	8/2000	Ayer et al.	2005/0031546 A1	2/2005	Bartholomäus et al.
6,117,453 A	9/2000	Seth et al.	2005/0058706 A1	3/2005	Bartholomäus et al.
6,120,802 A	9/2000	Breitenbach et al.	2005/0063214 A1	3/2005	Takashima
6,133,241 A	10/2000	Bok et al.	2005/0089475 A1	4/2005	Gruber
6,228,863 B1	5/2001	Palermo et al.	2005/0095291 A1	5/2005	Oshlack et al.
6,235,825 B1	5/2001	Yoshida et al.	2005/0106249 A1	5/2005	Hwang et al.
6,238,697 B1	5/2001	Kumar et al.	2005/0112067 A1	5/2005	Kumar et al.
6,245,357 B1	6/2001	Edgren et al.	2005/0127555 A1	6/2005	Gusik et al.
6,248,737 B1	6/2001	Buschmann et al.	2005/0152843 A1	7/2005	Bartholomäus et al.
6,261,599 B1	7/2001	Oshlack et al.	2005/0186139 A1	8/2005	Bartholomäus et al.
6,290,990 B1	9/2001	Grabowski et al.	2005/0191244 A1	9/2005	Bartholomäus et al.
6,306,438 B1	10/2001	Oshlack et al.	2005/0214223 A1	9/2005	Bartholomäus et al.
6,309,668 B1	10/2001	Bastin et al.	2005/0236741 A1	10/2005	Arkenau-Maric et al.
			2005/0266084 A1	12/2005	Li et al.

US 8,192,722 B2

Page 3

2006/0002859	A1	1/2006	Arkenau et al.	CN	101010071	6/2005
2006/0002860	A1	1/2006	Bartholomaus et al.	CN	101022787	1/2006
2006/0039864	A1	2/2006	Bartholomaus et al.	CN	001863513	11/2006
2006/0099250	A1	5/2006	Tian et al.	CN	001863514	11/2006
2006/0188447	A1	8/2006	Arkenau-Maric et al.	CN	01917862	2/2007
2006/0193782	A1	8/2006	Bartholomaus et al.	CN	101027044	8/2007
2006/0193914	A1	8/2006	Ashworth et al.	CN	101111232	1/2008
2006/0240110	A1	10/2006	Kiick et al.	CN	101175482	2/2008
2007/0003616	A1	1/2007	Arkenau-Maric et al.	DE	2530563	1/1977
2007/0020188	A1	1/2007	Sackler	DE	4309528	9/1994
2007/0020335	A1	1/2007	Chen et al.	DE	69400215	10/1996
2007/0048228	A1	3/2007	Arkenau-Maric et al.	DE	195 22 899	12/1996
2007/0065365	A1	3/2007	Kugelmann et al.	DE	2808505	1/1997
2007/0092573	A1	4/2007	Joshi et al.	DE	19822979	2/1999
2007/0183979	A1	8/2007	Arken Au-Maric et al.	DE	19753534	6/1999
2007/0183980	A1	8/2007	Arkenau-Maric et al.	DE	19800689	C1 7/1999
2007/0190142	A1	8/2007	Breitenbach et al.	DE	19800698	7/1999
2007/0196396	A1	8/2007	Pilgaonkar et al.	DE	69229881	12/1999
2007/0196481	A1	8/2007	Amidon et al.	DE	19856147	6/2000
2007/0264327	A1	11/2007	Kumar et al.	DE	19940740	3/2001
2007/0269505	A1	11/2007	Flath et al.	DE	1996 0494	A1 6/2001
2008/0081290	A1	4/2008	Wada et al.	DE	10036400	6/2002
2008/0247959	A1	10/2008	Bartholomaus et al.	DE	19855440	6/2002
2008/0248113	A1	10/2008	Bartholomaus et al.	DE	69429710	8/2002
2008/0311049	A1	12/2008	Arkenau-Maric et al.	DE	10250083	12/2003
2008/0311187	A1	12/2008	Ashworth et al.	DE	10 250 087	A1 5/2004
2008/0311197	A1	12/2008	Arkenau-Maric et al.	DE	10250084	5/2004
2008/0312264	A1	12/2008	Arkenau-Maric et al.	DE	10250088	5/2004
2008/0317854	A1	12/2008	Arkenau et al.	DE	10336400	3/2005
2009/0004267	A1	1/2009	Arkenau-Maric et al.	DE	102004019916	11/2005
2009/0005408	A1	1/2009	Arkenau-Maric et al.	DE	102004020220	11/2005
2009/0017121	A1	1/2009	Berner et al.	DE	10 2004 032049	A1 1/2006
2009/0081290	A1	3/2009	McKenna et al.	DE	10 2004 032051	1/2006
2009/0202634	A1	8/2009	Jans et al.	DE	10 2004 032103	A1 1/2006
2010/0015223	A1	1/2010	Cailly-Dufestel et al.	DE	10 2005 005446	8/2006
2010/0098758	A1	4/2010	Bartholomaus et al.	DE	10 2005 005449	A1 8/2006
2010/0151028	A1	6/2010	Ashworth et al.	DE	102007011485	9/2008
2010/0221322	A1	9/2010	Bartholomaus et al.	DK	1658055	7/2007
2010/0260833	A1	10/2010	Bartholomaus et al.	DK	1658054	10/2007
2011/0020451	A1	1/2011	Bartholomaus et al.	DK	1515702	1/2009
2011/0038930	A1	2/2011	Barnscheid et al.	EC	SP066345	8/2006
2011/0082214	A1	4/2011	Faure et al.	EP	0 008 131	2/1980
FOREIGN PATENT DOCUMENTS				EP	0 043 254	1/1982
				EP	0177893	4/1986
				EP	0 216 453	4/1987
AR	045353	10/2005		EP	0 226 061	6/1987
AR	049562	8/2006		EP	0 228 417	7/1987
AR	053304	5/2007		EP	0 229 652	7/1987
AR	054222	6/2007		EP	0 232 877	8/1987
AR	054328	6/2007		EP	0240906	A2 10/1987
AU	2003237944	12/2003		EP	0 261 616	3/1988
AU	2003274071	5/2004		EP	2 70 954	A1 6/1988
AU	2003278133	5/2004		EP	0 277 289	8/1988
AU	2003279317	5/2004		EP	0 293 066	11/1988
AU	2004264667	2/2005		EP	0 328 775	8/1989
AU	2004308653	4/2005		EP	0 477 135	3/1992
AU	2005259476	1/2006		EP	0544144	A1 6/1993
AU	2005259478	1/2006		EP	0 583 726	2/1994
AU	2006210145	8/2006		EP	0 598 606	5/1994
AU	2009207796	7/2009		EP	0636370	A1 2/1995
AU	2004264666	B2 10/2009		EP	0 641 195	3/1995
AU	2009243681	11/2009		EP	0647448	A1 4/1995
BR	P10413318	10/2006		EP	0682945	5/1995
BR	P10413361	10/2006		EP	0 661 045	7/1995
BR	P10513300	5/2008		EP	0661045	7/1995
BR	P10606145	2/2009		EP	0675710	A1 10/1995
CA	2317747	7/1999		EP	0693475	1/1996
CA	2352874	A1 6/2000		EP	0820693	1/1996
CA	2502965	A1 5/2004		EP	0 696 598	2/1996
CA	2534925	2/2005		EP	0756480	A1 2/1997
CA	2534932	2/2005		EP	0760654	A1 3/1997
CA	2551231	7/2005		EP	0761211	3/1997
CA	2572352	1/2006		EP	0780369	6/1997
CA	2572491	1/2006		EP	0785775	A1 7/1997
CA	2595954	7/2006		EP	0820698	7/1997
CA	2595979	8/2006		EP	0809488	A1 12/1997
CA	2713128	7/2009		EP	0857062	A2 8/1998
CA	2723438	11/2009		EP	0864324	A1 9/1998
CH	689109	10/1998		EP	0864326	A2 9/1998
CN	1980643	4/2005		EP		

US 8,192,722 B2

Page 4

EP	0980894	2/2000	WO	95 30422	11/1995
EP	0988106 A1	3/2000	WO	96 00066	1/1996
EP	1014941 A1	7/2000	WO	96/03979	2/1996
EP	1070504	1/2001	WO	9614058 A1	5/1996
EP	1127871	8/2001	WO	9733566	9/1997
EP	1138321	10/2001	WO	9820073	5/1998
EP	1166776	1/2002	WO	98/28698	7/1998
EP	1251120	10/2002	WO	98/35655	8/1998
EP	1293127	3/2003	WO	99/12864	3/1999
EP	1293196 A2	3/2003	WO	99 32120 A1	7/1999
EP	1250045	9/2003	WO	99/48481	9/1999
EP	1658055	2/2005	WO	9944591	9/1999
EP	1515702	3/2005	WO	0033835	6/2000
EP	1527775 A1	4/2005	WO	0040205	7/2000
EP	1558221 A1	8/2005	WO	01/12230	2/2001
EP	1558257	8/2005	WO	0108661	2/2001
EP	1560585	8/2005	WO	0115667	3/2001
EP	1658054	5/2006	WO	01/52651	7/2001
EP	1740161	1/2007	WO	01/97783	12/2001
EP	1765303	3/2007	WO	02/26061	4/2002
EP	1786403	5/2007	WO	02/26262	4/2002
EP	1558221 B1	6/2007	WO	02 26928	4/2002
EP	1845955	10/2007	WO	02/088217 A1	11/2002
EP	1845956	10/2007	WO	03/006723	1/2003
EP	1 859 789	11/2007	WO	03 013476 A1	1/2003
EP	1897545	12/2008	WO	03/013479	2/2003
EP	2131830	12/2009	WO	03 024430 A1	2/2003
EP	2249811	11/2010	WO	03015531	2/2003
EP	2273983	1/2011	WO	03/026624 A1	4/2003
ES	2336571	12/2004	WO	03 028698 A1	4/2003
ES	2260042	11/2006	WO	03/028990 A1	4/2003
ES	2285497	11/2007	WO	03/031546	4/2003
ES	2288621	1/2008	WO	03026743 A2	4/2003
ES	2289542	2/2008	WO	03 035029	5/2003
ES	2315505	4/2009	WO	03/035177 A2	5/2003
GB	1 147 210	4/1969	WO	03035029	5/2003
GB	2057878	4/1981	WO	03035053	5/2003
HR	P20070272	6/2007	WO	03035054	5/2003
HR	20070456	11/2007	WO	03053417	7/2003
JP	03-501737 A	4/1991	WO	03/068392	8/2003
JP	8-505076 A	6/1996	WO	03/092648 A1	11/2003
JP	2002-275175	9/2002	WO	03094812	11/2003
JP	2005534664	11/2005	WO	03 105808	12/2003
KR	1020060069832	6/2006	WO	2004/004693 A1	1/2004
KR	20070039041	4/2007	WO	2004/043967	2/2004
KR	20070111510	11/2007	WO	2004 026262 A2	4/2004
KR	20100111303	10/2010	WO	2004 026263 A2	4/2004
KR	20110016921	2/2011	WO	2004026262 A2	4/2004
MX	20070000008	3/2007	WO	2004037230	5/2004
MX	20070000009	3/2007	WO	2004037259	5/2004
MX	2007009393	8/2007	WO	2004037260	5/2004
MX	2010008138	8/2010	WO	2004/066910 A2	8/2004
MX	2010012039	11/2010	WO	2004/084869 A1	10/2004
NO	20061054	3/2006	WO	2004/093801 A2	11/2004
NO	20070578	1/2007	WO	2004/100894 A2	11/2004
NO	20074412	11/2007	WO	2004093819	11/2004
PT	1699440	12/2004	WO	2005 016313 A1	2/2005
PT	1658054	5/2006	WO	2005 016314	2/2005
PT	1658055	7/2007	WO	2005016314	2/2005
PT	1515702	12/2008	WO	2005/032524 A2	4/2005
RU	2131244	6/1999	WO	2005/065646 A2	4/2005
RU	2354357	12/2007	WO	2005 041968	5/2005
RU	2007103712	9/2008	WO	2005/053587 A1	6/2005
RU	2007103707	11/2008	WO	2005/053656	6/2005
RU	2007132975	4/2009	WO	2005/055981 A2	6/2005
SI	1515702	4/2009	WO	2005 063214	7/2005
SI	1699440	11/2009	WO	2005/066183	7/2005
WO	89/05624	6/1989	WO	2005063214	7/2005
WO	90 03776	4/1990	WO	2005 102286	11/2005
WO	90/03776 A1	4/1990	WO	2005102286	11/2005
WO	93 06723 A1	4/1993	WO	2005102294	11/2005
WO	93/10758	6/1993	WO	2006 002883	1/2006
WO	93 11749	6/1993	WO	2006 002884	1/2006
WO	93 23017	11/1993	WO	2006/002886	1/2006
WO	94 06414	3/1994	WO	2006002884	1/2006
WO	94/08567	4/1994	WO	2006 082097	8/2006
WO	95/17174	6/1995	WO	2006 082099	8/2006
WO	95/22319	8/1995	WO	2007/005716 A2	1/2007
WO	9520947	8/1995	WO	2007 008752	1/2007

US 8,192,722 B2

Page 5

WO	2007 048233	5/2007
WO	2007 053698	5/2007
WO	2007/085024 A2	7/2007
WO	2008/086804	7/2008
WO	2008/107149	9/2008
WO	2008/107149	9/2008
WO	2008/148798	11/2008
WO	2009/092601 A1	7/2009
WO	2009/092601	7/2009
WO	2009/135680 A1	11/2009
WO	2009/135680	11/2009
WO	2011009602	1/2011
WO	2011009603	1/2011
WO	2011009604	1/2011

OTHER PUBLICATIONS

F. E. Bailey et al., "Some Properties of Poly(ethylene oxide) in Aqueous Solution," *Journal of Applied Polymer Science*, vol. 1, Issue No. 1, pp. 56-62 (1959).

A. Apicella et al., "Poly(ethylene oxide) (PEO) and different molecular weight PEO blends monolithic devices for drug release," *Biomaterials* 1993, vol. 14, No. 2, pp. 83-90.

S. Janicki et al., "Slow-Release Microballs: Method of Preparation," *Acta Pharm. Technol.* 33(3) 154-155 (1987).

R. Mank et al., "Darstellung wirkstoffhaltiger Extrusionsformlinge auf der Basis von Thermoplasten," *Pharmazie* 45 (1990), H. 8; pp. 592-593.

R. Mank et al., "Darstellung wirkstoffhaltiger Extrusionsformlinge auf der Basis von Thermoplasten," *Pharmazie* 44 (1989) H. 11; pp. 773-776.

P. Shivanand et al., "Factors Affecting Release of KCl from Melt Extruded Polyethylene Disks," *Pharmaceutical Research*, Official Journal of the American Association of Pharmaceutical Scientists; Oct. 1991, vol. 8, No. 10.

L. Yang et al., "Characterization of Compressibility and Compatibility of Poly(ethylene oxide) Polymers for Modified Release Application by Compaction Simulator," *Journal of Pharmaceutical Sciences*, vol. 85, No. 10, Oct. 1996.

F. Zhang et al., "Properties of Sustained-Release Tablets Prepared by Hot-Melt Extrusion," *Pharmaceutical Development and Technology*, 4(2), 241-250 (1999) pp. 241-250.

M.M. Crowley et al., "Stability of polyethylene oxide in matrix tablets prepared by hot-melt extrusion," *Biomaterials* 23 (2002) 4241-4248.

M. Efentakis et al., "Evaluation of High Molecular Weight Poly(Oxyethylene) (Polyox) Polymer: Studies of Flow Properties and Release Rates of Furosemide and Captopril from Controlled-Release Hard Gelatin Capsules," *Pharmaceutical Development and Technology*, 5(3), 339-346 (2000).

N. Follonier et al., "Various ways of modulating the release of diltiazem hydrochloride from hot-melt extruded sustained release pellets prepared using polymeric materials," *Journal of Controlled Release* 36 (1995) 243-250.

N.B. Graham, "Poly(Ethylene Glycol) Gels and Drug Delivery," *Poly(Ethylene Glycol) Chemistry: Biotechnical and Biomedical Applications*, Chapter 17, 1992.

C. D. Hanning et al., "The Morphine Hydrogel Suppository," *British Journal of Anaesthesia*, 1988, 61, 221-227.

Kim et al., "Preparation and Evaluation of Eudragit Gels V. Rectal Gel Preparations for Sustained Release and Avoidance of First-Pass Metabolism of Lidocaine," *Chem. Pharm. Bull.* 40(10) 2800-2804 (1992).

Cheng-Ju Kim, "Drug Release from Compressed Hydrophilic POLYOX-WSR Tablets," *Journal of Pharmaceutical Sciences*, vol. 84, No. 3, Mar. 1995.

S.L. Madorsky et al., "Thermal Degradation of Polyethylene Oxide and Polypropylene Oxide," *Journal of Polymer Science*, vol. XXXVI, pp. 183-194 (1959).

A. Moroni et al., "Application of Poly(Oxyethylene) Homopolymers in Sustained Release Solid Formulations," *Drug Development and Industrial Pharmacy*, 21(12), 1411-1428 (1995).

N. Ohnishi et al., "Effect of the Molecular Weight of Polyethylene Glycol on the Bioavailability of Indomethacin Sustained-Release Suppositories Prepared with Solid Dispersions," *Chem. Pharm. Bull.*, 35 (8) 3511-3515 (1987).

T. Ozeki et al., "Control of medicine release from solid dispersion composed of the poly(ethylene oxide)-carboxyvinylpolymer interpolymer complex by varying molecular weight of poly(ethylene oxide)," *Journal of Controlled Release* 58 (1999) 87-95.

Pharmaceutical Research, Official Journal of the American Association of Pharmaceutical Scientists, Sep. 1989 (Supplement), vol. 6, No. 9, 6.S-98.

Pharmaceutical Research, Official Journal of the American Association of Pharmaceutical Scientists, Oct. 1991 (Supplement), Vol. 8, No. 10, 8.S-192.

W. Prapaitrakul et al., "Release of Chlorpheniramine Maleate from Fatty Acid Ester Matrix Disks Prepared by Melt-extrusion," *J. Pharm. Pharmacol.* 1991, 43: 377-381.

S. Radko et al., "Molecular sieving by polymer solutions: dependence on particle and polymer size, independence of polymer entanglement," *Applied and Theoretical Electrophoresis* (1995), 5, 79-88.

J. Scheirs et al., "Characterizing the solid-state thermal oxidation of poly(ethylene oxide) powder," *Polymer*, 1991, vol. 32, No. 11.

O.L. Sprockel et al., "Permeability of Cellulose Polymers: Water Vapour Transmission Rates," *J. Pharm. Pharmacol.* 1990, 42: 152-157.

J.L. Stringer et al., "Diffusion of small molecular weight drugs in radiation-crosslinked poly(ethylene oxide) hydrogels," *Journal of Controlled Release* 42 (1996) 195-202.

E. G. Rippie et al., "Regulation of Dissolution Rate by Pellet Geometry," *Journal of Pharmaceutical Sciences*, Vol. 58, No. 4, Apr. 1969, pp. 428-431.

M. Adel El-Egakey et al., "Hot extruded dosage forms Part I," *Pharmaceutica Acta Helvetica*, vol. 46, Mar. 19, 1970.

Remington's *Pharmaceutical Sciences* 17th ed., Mack Publishing Co., (1985) 1418.

M.S. Mesiha et al., "A Screening Study of Lubricants in Wet Powder Masses Suitable for Extrusion Spheronization," *Drug Development and Industrial Pharmacy*, 19(8), 943-959 (1993).

N. Follonier et al., "Evaluation of Hot-Melt Extrusion as a New Technique for the Production of Polymer-Based Pellets for Sustained Release Capsules Containing High Loadings of Freely Soluble Drugs," *Drug Development and Industrial Pharmacy*, 20(8), 1323-1339 (1994).

Coppens et al; "Hypromellose, Ethylcellulose, and Polyethylene Oxide Use in Hot Melt Extrusion," *Pharmaceutical Technology*, 62-70, Jan. 2005.

Proeschel, et al, *J. Dent. Res.* 81(7), 2002, pp. 464-468.

Schroder, J. *Granulierung hydrophober Wirkstoffe*, vol. 65, No. 4, 2003, pp. 367-372.

Remington's *Pharmaceutical Sciences*, Authur Asol editor, pp. 1553-1593, Chapter 89, 1980.

Inert Gas from Wikipedia (Dec. 2009).

Observations by Third Parties Pursuant to Art 115 EPC, dated Feb. 2, 2009.

Letter of James W. McGinity, with attached experimental report, dated Jan. 26, 2009.

Bauer, Kurt J., et al; "Coated Pharmaceutical Dosage Forms, Fundamentals, Manufacturing Techniques, Biopharmaceutical Aspects, Test Methods and Raw Materials"; Scientific Publishers, Stuttgart, 1998.

"Pharmaceutical technical procedures"; *European Pharmacopodia*, 1997, p. 135.

Granulierung hydrophober wirkstoffe im planetulzenextruder (2003).

Maggie et al; *Biomaterials* (2002), 23, pp. 1113-1119.

Braun, et al., "S study of bite force, part 2: Relationship . . .", 1995, *Angel Orthodontist*, 6(5), pp. 373-377.

DeJong (*Pharmaceutisch Weekblad Scientific Edition* 1987, p. 24-28).

Dow Excipients *Chem. of Poly. Water Soluble-Resin* 2004, pp. 1-2.

Tipler, et al, *Physics for Scientists and Engineers*, 6th Edition, pp. 234-235, 2003.

US 8,192,722 B2

Page 6

- Stafford J., überzogene feste Formen, 1991, 347-68.
- Jan. 6, 2011 Letter from Dr. Rick Matos, Ph.D.
- Caraballo, Journal of Controlled Release, vol. 69, pp. 345-355, 2000.
- DOW Technical Data, POLYOX, Feb. 2003.
- Davies, et al; European Journal of Pharmaceutics and Biopharmaceutics, 67, 2007, pp. 268-276.
- El-Sherbiny, European Polymer Journal, vol. 41, pp. 2584-2591, 2005.
- Fell, et al, Journal of Pharmaceutical Sciences, vol. 59, No. 5, May 1970, pp. 688-691.
- Griffith, Drug Administration, vol. 19, No. 1, pp. 41-42, 2003.
- Levina, Journal of Pharmaceutical Sciences, vol. 89, No. 6, pp. 703-723, Jun. 2000.
- Levina, Drug Development and Industrial Pharmacy, vol. 28, No. 5, pp. 495-514, 2002.
- Lockhart et al, "Packaging of Pharmaceuticals and Health Care Products"; Blackie Academic & Professional; First Edition 1996.
- Miller, Nursing, pp. 50-52, Feb. 2000.
- Mitchell, Special Resource, vol. 35, No. 5, pp. 535-557, 2000.
- Varma, Manthana et al, Am. J. Drug Deliv. 2004; 2 (1): 43-57.
- Summers et al; Journal of Pharmaceutical Sciences, vol. 66, No. 8, Aug. 1977, pp. 1172-1175.
- US Pharmacopoeia, Chapter 1217, Aug. 1, 2008.
- Yarbrough et al, Letters to Nature 322, 347-349 (Jul. 24, 1986)
- "Extraordinary effects of mortar-and-pestle grinding on microstructure of sintered alumina gel".
- Maggi. Therapeutic Potential of Capsaicin-like Molecules. 1Life Sciences, vol. 51, pp. 1777-1781, 1992.
- Maggi, L. et al., "High molecular weight polyethylene oxides (PEOs) as an alternative to HPMC in controlled release dosage form", 2000, International Journal of Pharmaceutics, 195 pp. 229-238.
- Freed et al. pH control of nucleophilic/electrophilic oxidation. International Journal of Pharmaceutics. 2008, vol. 357, pp. 180-188.
- Waterman et al. Stabilization of Pharmaceuticals to Oxidative Degradation. Pharmaceutical Development and Technology. 2002, vol. 7, No. 1, pp. 1-32.
- Handbuch der Kunststoff-Extrusionstechnik 1, "Grundlagen" in Chapter 1.2 "Klassifizierung von Extrudern", pp. 3-7. 1989.
- 2.9 Methoden der pharmazeutischen Technologie 143-144, 1997.
- Conversion of 18.8 kiloponds to newtons, <http://www.unitconversion.org/force/newtons-to-kiloponds-conversion.html> on Jul. 5, 2011.
- Waltimo et al. A novel bite force recorder and maximal isometric bite force values for healthy young adults. Scand J Dent Res. 1993, vol. 101, pp. 171-175.
- Waltimo et al. Maximal bite force and its association with signs and symptoms of craniomandibular disorders in young Finnish non-patients. Acta Odontol. Scand. 1995, vol. 53, pp. 254-258.
- Katz et al., Clin. J. Pain, 23(8): 648-660 (2007).
- Arnold, "Teen Abuse of Painkiller OxyContin on the Rise," www.npr.org, Dec. 19, 2005.
- Baum et al., Public Health Reports, 102(4): 426-429 (1987).
- Purdue News, "Purdue Pharma Provides Update on Development of New Abuse-Resistant Pain Medications; FDA Cites Patient Needs As First Priority; New Drug Application Delayed," www.headaches.about.com, Jun. 18, 2002.
- Strang, British Med. J., 302: 969 (1991).
- Tompkins et al., Psychopharma., 210: 471-480 (2010).
- Waters et al., Am. J. Psychiatry, 164(1): pp. 173-174 (2007).
- Tablet, www.docstoc.com (2011).
- Dachille, F. et al., "High-Pressure Phase Transformation in Laboratory Mechanical Mixers and Mortars", 1960, Nature, 186, pp. 1-2 (abstract).
- Stafford J. Überzogene feste Formen, 1991, pp. 347-368.
- Remington's Pharmaceutical Sciences, Ch. 76, 1985, 17th Edition.
- Remington's Pharmaceutical Sciences, Ch. 77, 1985, 17th Edition.
- Remington's Pharmaceutical Sciences, Ch. 78, 1985, 17th Edition.
- Remington's Pharmaceutical Sciences, Ch. 79, 1985, 17th Edition.
- Remington's Pharmaceutical Sciences, Ch. 80, 1985, 17th Edition.
- Remington's Pharmaceutical Sciences, Ch. 81, 1985, 17th Edition.
- Remington's Pharmaceutical Sciences, Ch. 82, 1985, 17th Edition.
- Remington's Pharmaceutical Sciences, Ch. 83, 1985, 17th Edition.
- Remington's Pharmaceutical Sciences, Ch. 84, 1985, 17th Edition.
- Remington's Pharmaceutical Sciences, Ch. 85, 1985, 17th Edition.
- Remington's Pharmaceutical Sciences, Ch. 86, 1985, 17th Edition.
- Remington's Pharmaceutical Sciences, Ch. 87, 1985, 17th Edition.
- Remington's Pharmaceutical Sciences, Ch. 88, 1985, 17th Edition.
- Remington's Pharmaceutical Sciences, Ch. 89, 1985, 17th Edition.
- Remington's Pharmaceutical Sciences, Ch. 91, 1985, 17th Edition.
- Remington's Pharmaceutical Sciences, Ch. 92, 1985, 17th Edition.
- Remington's Pharmaceutical Sciences, Ch. 93, 1985, 17th Edition.
- Wu et al. Mathematical modeling and in vitro study of controlled drug release via a highly swellable and dissoluble polymer matrix: polyethylene oxide with high molecular weights. Journal of Controlled Release. 2005. vol. 102, pp. 569-581.
- Remington's Pharmaceutical Sciences, Ch. 90, 1985, 17th Edition.

Figure 1

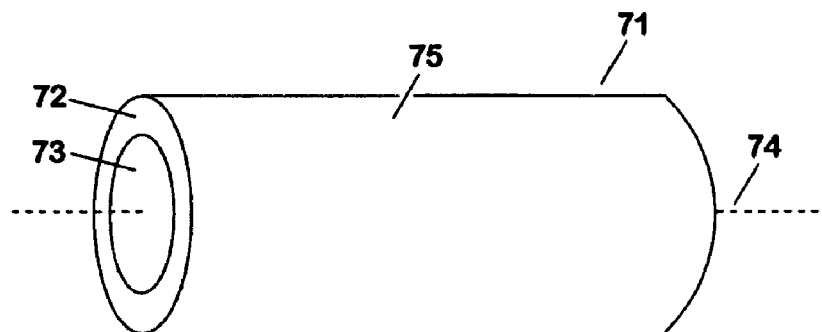


Figure 2A

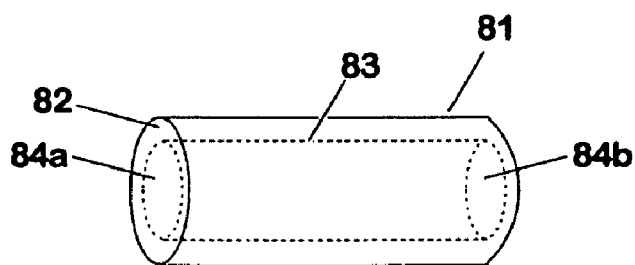


Figure 2B

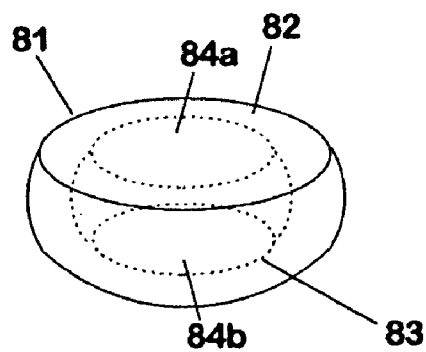
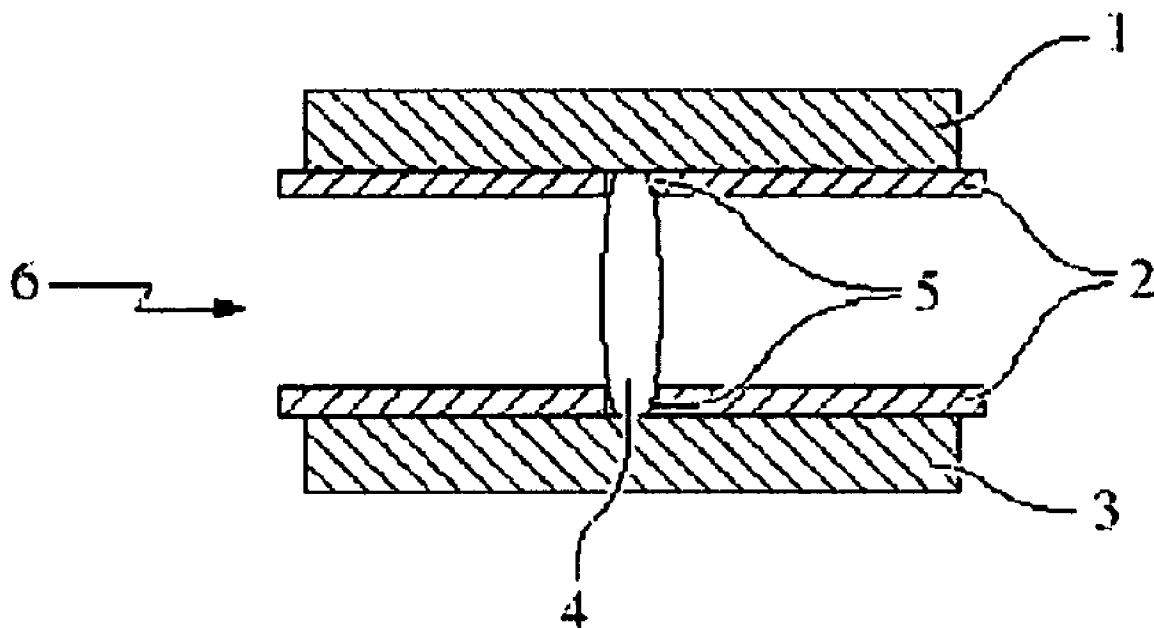


Figure 3



US 8,192,722 B2

1

ABUSE-PROOF DOSAGE FORM**CROSS REFERENCE TO RELATED APPLICATIONS**

This application is a division of U.S. Ser. No. 11/462,216, filed Aug. 3, 2006, now pending, which is, in turn, a continuation-in-part of U.S. Ser. No. 11/349,544, filed Feb. 6, 2006, and a continuation-in-part of U.S. Ser. No. 11/348,295, filed Feb. 6, 2006, and a continuation-in-part of U.S. Ser. No. 10/718,112, filed Nov. 20, 2003, and also claims priority of German Patent Application No. 10 2005 005446.3 filed on Feb. 4, 2005, and German Patent Application No. 10 336 400.5, filed on Aug. 6, 2003.

BACKGROUND OF THE INVENTION

The present invention relates to an abuse-proofed dosage form thermoformed by extrusion without discoloration and containing, in addition to one or more active ingredients with abuse potential (A) optionally together with physiologically acceptable auxiliary substances (B), at least one synthetic or natural polymer (C) and optionally at least one wax (D), wherein the dosage form exhibits a breaking strength (=resistance to crushing) of at least 500 N, and to a process for the production of the dosage form according to the invention.

Many pharmaceutical active ingredients, in addition to having excellent activity in their appropriate application, also have abuse potential, i.e. they can be used by an abuser to bring about effects other than those intended. Opiates, for example, which are highly active in combating severe to very severe pain, are frequently used by abusers to induce a state of narcosis or euphoria.

In order to make abuse possible, the corresponding dosage forms, such as tablets or capsules are comminuted, for example ground in a mortar, by the abuser, the active ingredient is extracted from the resultant powder using a preferably aqueous liquid and the resultant solution, optionally after being filtered through cotton wool or cellulose wadding, is administered parenterally, in particular intravenously. An additional phenomenon of this kind of administration, in comparison with abusive oral administration, is a further accelerated increase in active ingredient levels giving the abuser the desired effect, namely the "kick" or "rush". This kick is also obtained if the powdered dosage form is administered nasally, i.e. is sniffed. Since controlled-release dosage forms containing active ingredients with abuse potential do not give rise to the kick desired by the abuser when taken orally even in abusively high quantities, such dosage forms are also comminuted and extracted in order to be abused.

U.S. Pat. No. 4,070,494 proposed adding a swellable agent to the dosage form in order to prevent abuse. When water is added to extract the active ingredient, this agent swells and ensures that the filtrate separated from the gel contains only a small quantity of active ingredient.

The multilayer tablet disclosed in WO 95/20947 is based on a similar approach to preventing parenteral abuse, said tablet containing the active ingredient with abuse potential and at least one gel former, each in different layers.

WO 03/015531 A2 discloses another approach to preventing parenteral abuse. A dosage form containing an analgesic opioid and a dye as an aversive agent is described therein. The color released by tampering with the dosage form is intended to discourage the abuser from using the dosage form which has been tampered with.

Another known option for complicating abuse involves adding antagonists to the active ingredients to the dosage

2

form, for example naloxone or naltexone in the case of opioids, or compounds which cause a physiological defense response, such as for example ipecacuanha (ipecac) root.

However, since in most cases of abuse it is still necessary to pulverize the dosage form comprising an active ingredient suitable for abuse, it is an object of the present invention to complicate or prevent the pulverization preceding abuse of the dosage form using the means conventionally available to a potential abuser.

It is a further object to provide a dosage form for active ingredients with potential for abuse which ensures the desired therapeutic effect when correctly administered, but from which the active ingredients cannot be converted into a form suitable for abuse simply by pulverization.

An additional object is to provide a dosage form with enhanced stability when maintained under adverse conditions.

Yet another object is to provide an extrusion process for the manufacture of dosage forms having enhanced abuse prevention and stability characteristics.

A further object is to provide a dosage form having a surface morphology different from that of the core of the dosage form.

An additional object is to provide a dosage form having a non-uniform morphology in general and in particular a dosage form having a layered morphology, in each case where the composition of the dosage form remains uniform.

SUMMARY OF THE INVENTION

These objects have been achieved by the provision of the abuse-proofed dosage form thermoformed by extrusion without discoloration according to the invention which contains, in addition to one or more active ingredients with abuse potential (A), at least one synthetic or natural polymer (C) optionally at least one wax (D), and optionally at least one physiologically acceptable auxiliary substance (B), wherein the dosage form exhibits a breaking strength of at least 500 N.

The breaking strength of at least 500 N (measured as stated in the specification) means that pulverization of the dosage form is considerably more difficult using conventional means, so considerably complicating or preventing the subsequent abuse.

If comminution is inadequate, parenteral, in particular intravenous, administration cannot be performed safely or extraction of the active ingredient therefrom takes too long for the abuser or there is no "kick" when taken orally, as release is not instantaneous.

As used herein, comminution means pulverization of the dosage form with conventional means which are available to an abuser, such as, for example, a mortar and pestle, a hammer, a mallet or other usual means for pulverization by application of force.

The dosage form according to the invention is thus suitable for preventing parenteral, nasal and/or oral abuse of active ingredients, preferably of pharmaceutical active ingredients, with abuse potential.

The advantageous properties of the dosage form according to the invention, in particular also its mechanical properties, may not automatically be achieved by simply processing components (A), (C), optionally (B) and optionally (D) by means of conventional methods for the preparation of dosage forms. In fact, usually suitable apparatuses must be selected for the preparation and critical processing parameters must be adjusted, particularly pressure/force, temperature and time. Dosage forms exhibiting the desired properties may be obtained only if in the course of the preparation of the dosage

US 8,192,722 B2

3

form the components are exposed to a sufficient pressure at a sufficient temperature for a sufficient period of time. Thus, although it may be possible to utilize conventional apparatuses, the process protocols usually must be adapted in order to meet the required criteria.

Unlike prior art methods which involve the extrusion of polymers in admixture with pharmaceutically active substances but which fail to provide the dosage forms with the beneficial characteristics according to the present invention because unsuitable extruder types are chosen and/or improper extrusion parameters are adjusted, it has now been discovered that the combination of specific extruder type coupled with herein specified extrusion process parameters provides dosage forms with the enhanced properties disclosed herein.

For example, U.S. Pat. No. 6,488,963 relates to pharmaceutical formulations comprising a hot-melt extrudable mixture of a therapeutic compound and a high molecular weight poly(ethylene oxide). It is disclosed that any commercially available extruder model equipped to handle dry feed and having a solid conveying zone, one or multiple heating zones, and an extrusion die may be used. A single screw extruder is preferred and used in the examples. Besides hot-melt extrusion, other equivalent processes such as injection molding, hot dipping, melt casting and compression molding are said to be useful. The pharmaceutical formulations obtained by the extrusion process according to U.S. Pat. No. 6,488,963, however, fundamentally differ from the dosage forms according to the present invention. This becomes directly evident from the further processing of the extrudate of Example 2 of U.S. Pat. No. 6,488,963, which, upon exiting the die, may be chopped to the desired length and then be ground to a powder. According to U.S. Pat. No. 6,488,963, such powders are preferred for oral, buccal, and sublingual administration.

In contrast to the grindable pharmaceutical formulations according to U.S. Pat. No. 6,488,963, it is an essential feature of the dosage forms according to the present invention that they exhibit a breaking strength of at least 500 N thereby preventing them from being ground to a powder. In the preparation of the dosage forms according to the invention, a suitable extruder type has to be chosen and the extrusion parameters have to be properly adjusted in order to achieve a breaking strength of at least 500 N. In general, single screw extruders of the type disclosed in U.S. Pat. No. 6,488,963 are not suitable to produce the dosage forms according to the present invention.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 shows a schematic view of the extrudate of the composition.

FIGS. 2A and 2B show schematic views of the preferred arrangements of the tubular domain within the dosage form.

FIG. 3 shows the measurement of the breaking strength of a tablet.

DETAILED DESCRIPTION OF THE INVENTION

Pharmaceutical active ingredients with abuse potential are known to the person skilled in the art, as are the quantities thereof to be used and processes for the production thereof, and may be present in the dosage form according to the invention as such, in the form of the corresponding derivatives thereof, in particular esters or ethers, or in each case in the form of corresponding physiologically acceptable compounds, in particular in the form of the salts or solvates thereof, as racemates or stereoisomers. The dosage form according to the invention is also suitable for the administra-

4

tion of two or more pharmaceutical active ingredients in one dosage form. The dosage form preferably contains just one specific active ingredient.

The dosage form according to the invention is in particular suitable for preventing abuse of a pharmaceutical active ingredient selected from the group consisting of opioids, tranquilizers, preferably benzodiazepines, barbiturates, stimulants and other narcotics.

The dosage form according to the invention is very particularly suitable for preventing abuse of an opioid, tranquilizer or another narcotic selected from the group consisting of N-{1-[2-(4-ethyl-5-oxo-2-tetrazolin-1-yl)ethyl]-4-methoxymethyl-4-piperidyl}propionanilide (alfentanil), 5,5-diallylbarbituric acid (allobarbitol), allylprodine, alphaprodine, 8-chloro-1-methyl-6-phenyl-4H-[1,2,4]triazolo[4,3-a][1,4]-benzodiazepine (alprazolam), 2-diethylaminopropiophenone (amfepramone), (\pm)- α -methylphenethylamine (amphetamine), 2-(α -methylphenethylamino)-2-phenylacetonitrile (amphetaminil), 5-ethyl-5-isopentylbarbituric acid (amobarbital), anileridine, apocodeine, 5,5-diethylbarbituric acid (barbital), benzylmorphine, bezitramide, 7-bromo-5-(2-pyridyl)-1H-1,4-benzodiazepine-2(3H)-one (bromazepam), 2-bromo-4-(2-chlorophenyl)-9-methyl-6H-thieno[3,2-f][1,2,4]triazolo-[4,3-a][1,4]diazepine (brotizolam), 17-cyclopropylmethyl-4,5a-epoxy-7 α [(S)-1-hydroxy-1,2,2-trimethyl-propyl]-6-methoxy-6,14-endo-ethanomorphinan-3-ol (buprenorphine), 5-butyl-5-ethylbarbituric acid (butobarbital), butorphanol, (7-chloro-1,3-dihydro-1-methyl-2-oxo-5-phenyl-2H-1,4-benzodiazepin-3-yl) dimethylcarbamate (camazepam), (1S,2S)-2-amino-1-phenyl-1-propanol (cathine/D-norpseudoephedrine), 7-chloro-N-methyl-5-phenyl-3H-1,4-benzodiazepin-2-ylamine 4-oxide (chlordiazepoxide), 7-chloro-1-methyl-5-phenyl-1H-1,5-benzodiazepine-2,4(3H,5H)-dione (clobazam), 5-(2-chlorophenyl)-7-nitro-1H-1,4-benzodiazepin-2(3H)-one (clonazepam), clonitazene, 7-chloro-2,3-dihydro-2-oxo-5-phenyl-1H-1,4-benzodiazepine-3-carboxylic acid (clorazepate), 5-(2-chlorophenyl)-7-ethyl-1-methyl-1H-thieno[2,3-e][1,4]diazepin-2(3H)-one (clotiazepam), 10-chloro-11 β -(2-chlorophenyl)-2,3,7,11 β -tetrahydrooxazolo[3,2-d][1,4]benzodiazepin-6(5H)-one (cloxazolam), (-)-methyl-[3 β -benzoyloxy-2 β (1 α H,5 α H)-tropancarboxylate] (cocaine), 4,5 α -epoxy-3-methoxy-17-methyl-7-morphinan-6 α -ol (codeine), 5-(1-cyclohexenyl)-5-ethylbarbituric acid (cyclobarbitol), cyclorphan, cyprenorphine, 7-chloro-5-(2-chlorophenyl)-1H-1,4-benzodiazepin-2(3H)-one (delorazepam), desomorphine, dextromoramide, (+)-(1-benzyl-3-dimethylamino-2-methyl-1-phenylpropyl)propionate (dextropropoxyphen), dezocine, diampromide, diamorphine, 7-chloro-1-methyl-5-phenyl-1H-1,4-benzodiazepin-2(3H)-one (diazepam), 4,5 α -epoxy-3-methoxy-17-methyl-6 α -morphinan-3-ol (dihydrocodeine), 4,5 α -epoxy-17-methyl-3,6 α -morphinandi-ol (dihydromorphine), dimenoxadol, dimepheptanol, dimethylthiambutene, dioxaphetyl butyrate, dipipanone, (6 α R, 10 α R)-6,6,9-trimethyl-3-pentyl-6 α ,7,8,10 α -tetrahydro-6H-benzo[c]chromen-1-ol (dronabinol), eptazocine, 8-chloro-6-phenyl-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine (estazolam), ethoheptazine, ethylmethylthiambutene, ethyl [7-chloro-5-(2-fluorophenyl)-2,3-dihydro-2-oxo-1H-1,4-benzodiazepine-3-carboxylate] (ethyl loflazepate), 4,5 α -epoxy-3-ethoxy-17-methyl-7-morphinen-6 α -ol (ethylmorphine), etonitazene, 4,5 α -epoxy-7 α -(1-hydroxy-1-methylbutyl)-6-methoxy-17-methyl-6,14-endo-ethenomorphinan-3-ol (etorphine), N-ethyl-3-phenyl-8,9,10-trinorbornan-2-ylamine (fencamfamine), 7-[2-(α -methylphenethylamino)ethyl]-theophylline (fenethylamine), 3-(α -methylphenethylamino)propionitrile (fenproporex),

US 8,192,722 B2

5

N-(1-phenethyl-4-piperidyl)propionanilide (fentanyl), 7-chloro-5-(2-fluorophenyl)-1-methyl-1H-1,4-benzodiazepin-2(3H)-one (fludiazepam), 5-(2-fluorophenyl)-1-methyl-7-nitro-1H-1,4-benzodiazepin-2(3H)-one (flunitrazepam), 7-chloro-1-(2-diethylaminoethyl)-5-(2-fluorophenyl)-1H-1,4-benzodiazepin-2(3H)-one (flurazepam), 7-chloro-5-phenyl-1-(2,2,2-trifluoroethyl)-1H-1,4-benzodiazepin-2(3H)-one (halazepam), 10-bromo-11β-(2-fluorophenyl)-2,3,7,11β-tetrahydro[1,3]oxazolyl[3,2-d][1,4]benzodiazepin-6(5H)-one (haloxazolam), heroin, 4,5α-epoxy-3-methoxy-17-methyl-6-morphinanone (hydrocodone), 4,5α-epoxy-3-hydroxy-17-methyl-6-morphinanone (hydromorphone), hydroxypethidine, isomethadone, hydroxymethyl morphinanone, 11-chloro-8,12β-dihydro-2,8-dimethyl-12β-phenyl-4H-[1,3]oxazino[3,2-d][1,4]benzodiazepine-4,7(6H)-dione (ketazolam), 1-[4-(3-hydroxyphenyl)-1-methyl-4-piperidyl]-1-propanone (ketobemidone), (3S,6S)-6-dimethylamino-4,4-diphenylheptan-3-yl acetate (levacetylmethadol (LAAM)), (-)-6-dimethylamino-4,4-diphenol-3-heptanone (levomethadone), (-)-17-methyl-3-morphinanol (levorphanol), levophenacetylmorphine, lofentanil, 6-(2-chlorophenyl)-2-(4-methyl-1-piperazinyl)methylene-8-nitro-2H-imidazo[1,2-a][1,4]-benzodiazepin-1(4H)-one (loprazolam), 7-chloro-5-(2-chlorophenyl)-3-hydroxy-1H-1,4-benzodiazepin-2(3H)-one (lorazepam), 7-chloro-5-(2-chlorophenyl)-3-hydroxy-1-methyl-1H-1,4-benzodiazepin-2(3H)-one (lormetazepam), 5-(4-chlorophenyl)-2,5-dihydro-3H-imidazo[2,1-a]isoindol-5-ol (mazindol), 7-chloro-2,3-dihydro-1-methyl-5-phenyl-1H-1,4-benzodiazepine (medazepam), N-(3-chloropropyl)-α-methylphenethylamine (mefenorex), meperidine, 2-methyl-2-propyltrimethylene dicarbamate (meprobamate), meptazinol, metazocine, methylmorphine, N,α-dimethylphenethylamine (methamphetamine), (±)-6-dimethylamino-4,4-diphenyl-3-heptanone (methadone), 2-methyl-3-o-tolyl-4(3H)-quinazolinone (methaqualone), methyl[2-phenyl-2-(2-piperidyl)acetate] (methylphenidate), 5-ethyl-1-methyl-5-phenylbarbituric acid (methylphenobarbital), 3,3-diethyl-5-methyl-2,4-piperidinedione (methypylon), metopon, 8-chloro-6-(2-fluorophenyl)-1-methyl-4H-imidazo[1,5-a][1,4]benzodiazepine (midazolam), 2-(benzhydrylsulfinyl)acetamide (modafinil), 4,5α-epoxy-17-methyl-7-morphinan-3,6α-diol (morphine), myrophine, (±)-trans-3-(1,1-dimethylheptyl)-7,8,10,10α-tetrahydro-1-hydroxy-6,6-dimethyl-6H-dibenzo[b,d]pyran-9(6αH)-one (nabilone), nalbuphine, nalbuphine, narceine, nicomorphine, 1-methyl-7-nitro-5-phenyl-1H-1,4-benzodiazepin-2(3H)-one (nimetazepam), 7-nitro-5-phenyl-1H-1,4-benzodiazepin-2(3H)-one (nitrazepam), 7-chloro-5-phenyl-1H-1,4-benzodiazepin-2(3H)-one (nordazepam), norlevorphanol, 6-dimethylamino-4,4-diphenyl-3-hexanone (normethadone), normorphine, norpipanone, the exudation for the plants belonging to the species *Papaver somniferum* (opium), 7-chloro-3-hydroxy-5-phenyl-1H-1,4-benzodiazepin-2(3H)-one (oxazepam), (cis-trans)-10-chloro-2,3,7,11b-tetrahydro-2-methyl-11b-phenyloxazolo[3,2-d][1,4]benzodiazepin-6(5H)-one (oxazolam), 4,5α-epoxy-14-hydroxy-3-methoxy-17-methyl-6-morphinanone (oxycodone), oxymorphone, plants and parts of plants belonging to the species *Papaver somniferum* (including the subspecies *setigerum*), papavereturn, 2-imino-5-phenyl-4-oxazolidinone (pernoline), 1,2,3,4,5,6-hexahydro-6,11-dimethyl-3-(3-methyl-2-butenyl)-2,6-methano-3-benzazocin-8-ol (pentazocine), 5-ethyl-5-(1-methylbutyl)-barbituric acid (pentobarbital), ethyl (1-methyl-4-phenyl-4-piperidine carboxylate) (pethidine), phenadoxone, phenomorphan, phenazocine, phenoperidine, piminodine, pholcodine, 3-methyl-2-phenyl-

6

morpholine (phenmetrazine), 5-ethyl-5-phenylbarbituric acid (phenobarbital), α,α-dimethylphenethylamine (phentermine), 7-chloro-5-phenyl-1-(2-propynyl)-1H-1,4-benzodiazepin-2(3H)-one (pinazepam), α-(2-piperidyl)benzhydryl alcohol (pipradrol), 1'-(3-cyano-3,3-diphenylpropyl)[1,4'-bipiperidine]-4'-carboxamide (piritramide), 7-chloro-1-(cyclopropylmethyl)-5-phenyl-1H-1,4-benzodiazepin-2(3H)-one (prazepam), profadol, proheptazine, promedol, properidine, propoxyphene, N-(1-methyl-2-piperidinoethyl)-N-(2-pyridyl)propionamide, methyl {3-[4-methoxycarbonyl-4-(N-phenylpropanamido)-piperidino]propanoate} (remifentanyl), 5-sec-butyl-5-ethylbarbituric acid (secbutabarbital), 5-allyl-5-(1-methylbutyl)-barbituric acid (secobarbital), N-{4-methoxymethyl-1-[2-(2-thienyl)ethyl]-4-piperidyl}-propionanilide (sufentanyl), 7-chloro-2-hydroxy-methyl-5-phenyl-1H-1,4-benzodiazepin-2(3H)-one (temazepam), 7-chloro-5-(1-cyclohexenyl)-1-methyl-1H-1,4-benzodiazepin-2(3H)-one (tetrazepam), ethyl (2-dimethylamino-1-phenyl-3-cyclohexene-1-carboxylate) (tilidine (cis and trans)), tramadol, 8-chloro-6-(2-chlorophenyl)-1-methyl-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine (triazolam), 5-(1-methylbutyl)-5-vinylbarbituric acid (vinylbital), (1R,2R)-3-(3-dimethylamino-1-ethyl-2-methyl-propyl)-phenol, (1R,2R,4S)-2-(dimethylamino)methyl-4-(p-fluorobenzyloxy)-1-(methoxyphenyl)cyclohexanol, (1R,2R)-3-(2-dimethylaminomethyl-cyclohexyl)phenol, (1S,2S)-3-(3-dimethylamino-1-ethyl-2-methyl-propyl)phenol, (2R,3R)-1-dimethylamino-3-(3-methoxyphenyl)-2-methyl-pentan-3-ol, (1RS,3RS,6RS)-6-dimethylaminomethyl-1-(3-methoxyphenyl)-cyclohexan-1,3-diol, preferably as racemate, 3-(2-dimethylaminomethyl-1-hydroxy-cyclohexyl)phenyl 2-(4-isobutylphenyl)-propionate, 3-(2-dimethylaminomethyl-1-hydroxycyclohexyl)phenyl 2-(6-methoxy-naphthalen-2-yl)-propionate, 3-(2-dimethylaminomethyl-cyclohex-1-enyl)-phenyl 2-(4-isobutylphenyl)-propionate, 3-(2-dimethylaminomethyl-cyclohex-1-enyl)-phenyl 2-(6-methoxy-naphthalen-2-yl)-propionate, (RR—SS)-2-acetoxy-4-trifluoromethyl-benzoic acid 3-(2-dimethylaminomethyl-1-hydroxy-cyclohexyl)-phenyl ester, (RR—SS)-2-hydroxy-4-trifluoromethyl-benzoic acid 3-(2-dimethylaminomethyl-1-hydroxy-cyclohexyl)-phenyl ester, (RR—SS)-4-chloro-2-hydroxybenzoic acid 3-(2-dimethylaminomethyl-1-hydroxy-cyclohexyl)-phenyl ester, (RR—SS)-2-hydroxy-4-methyl-benzoic acid 3-(2-dimethylaminomethyl-1-hydroxy-cyclohexyl)-phenyl ester, (RR—SS)-2-hydroxy-4-methoxy-benzoic acid 3-(2-dimethylaminomethyl-1-hydroxy-cyclohexyl)-phenyl ester, (RR—SS)-2-hydroxy-5-nitrobenzoic acid 3-(2-dimethylaminomethyl-1-hydroxy-cyclohexyl)-phenyl ester, (RR—SS)-2',4'-difluoro-3-hydroxy-biphenyl-4-carboxylic acid 3-(2-dimethylaminomethyl-1-hydroxycyclohexyl)-phenyl ester and corresponding stereoisomeric compounds, the corresponding derivatives thereof in each case, in particular amides, esters or ethers, and the physiologically acceptable compounds thereof in each case, in particular the salts and solvates thereof, particularly preferably hydrochlorides.

In a preferred embodiment the dosage form according to the invention contains one active substance with abuse potential (A) or more active substance with abuse potentials (A) selected from the group consisting of 1,1-(3-dimethylamino-3-phenylpentamethylen)-6-fluor-1,3,4,9-tetrahydropyrano [3,4-b]indole, in particular its hemicitrate; 1,1-[3-dimethylamino-3-(2-thienyl)pentamethylen]-1,3,4,9-tetrahydropyrano[3,4-b]indole, in particular its citrate; and 1,1-[3-dimethylamino-3-(2-thienyl)pentamethylen]-1,3,4,9-tetrahydropyrano[3,4-b]-6-fluoro-indole, in particular its hemicitrate. These compounds are known, for example, from

US 8,192,722 B2

7

WO 2004/043967 or WO 2005/066183. The disclosure of these references is expressly incorporated herein and made a part of this present application.

The amount of the active substance with abuse potential (A), based on the total amount of the dosage form, is preferably within the range from 0.01 to 95 wt.-%, more preferably from 0.5 to 80 wt.-%, still more preferably 1.0 to 70 wt.-%, most preferably 5.0 to 60 wt.-% and in particular 10 to 50 wt.-%. In a preferred embodiment it is more than 20 wt.-%.

The dosage form according to the invention is in particular suitable for preventing abuse of an opioid active ingredient selected from the group comprising oxycodone, hydromorphone, morphine, tramadol and the physiologically acceptable derivatives or compounds thereof, preferably the salts and solvates thereof, preferably the hydrochlorides thereof.

The dosage form according to the invention is furthermore in particular suitable for preventing abuse of an opioid active ingredient selected from the group comprising (1R,2R)-3-(3-dimethylamino-1-ethyl-2-methyl-propyl)-phenol, (2R,3R)-1-dimethylamino-3-(3-methoxy-phenyl)-2-methyl-pentan-3-ol, (1RS,3RS,6RS)-6-dimethylaminomethyl-1-(3-methoxyphenyl)-cyclohexane-1,3-diol, (1R,2R)-3-(2-dimethylaminoethylcyclohexyl)-phenol, the physiologically acceptable salts thereof, preferably hydrochlorides, physiologically acceptable enantiomers, stereoisomers, diastereomers and racemates and the physiologically acceptable derivatives thereof, preferably ethers, esters or amides.

These compounds and processes for the production thereof are described in EP-A-693475 or EP-A-780369. The disclosure of these references is expressly incorporated herein and made a part of this present application.

In order to achieve the necessary breaking strength of the dosage form according to the invention, at least one synthetic or natural polymer (C) is used. The polymer (C) contributes to the breaking strength of the dosage form of at least 500 N, measured using the method disclosed in the specification. At least one polymer selected from the group comprising polyalkylene oxides, preferably polymethylene oxide, polyethylene oxide, polypropylene oxide; polyethylene, polypropylene, polyvinyl chloride, polycarbonate, polystyrene, polyacrylate, copolymers thereof, and mixtures of at least two of the stated polymers is preferably used for this purpose. High molecular weight thermoplastic polyalkylene oxides are preferred. High molecular weight polyethylene oxides with a molecular weight of at least 0.5 million, preferably of at least 1 million up to 15 million, determined by rheological measurements, are particularly preferred. These polymers have a viscosity at 25° C. of 4500 to 17600 cP, measured on a 5 wt. % aqueous solution using a model RVF Brookfield viscosimeter (spindle no. 2/rotational speed 2 rpm), of 400 to 4000 cP, measured on a 2 wt. % aqueous solution using the stated viscosimeter (spindle no. 1 or 3/rotational speed 10 rpm) or of 1650 to 10000 cP, measured on a 1 wt. % aqueous solution using the stated viscosimeter (spindle no. 2/rotational speed 2 rpm).

The polymers are preferably used in powder form. They may be soluble in water.

In order to achieve the necessary breaking strength of the dosage form according to the invention, it is furthermore possible additionally to use at least one natural or synthetic wax (D). The wax (D) contributes to the breaking strength of the dosage form of at least 500 N, measured using the method disclosed in the specification. Waxes with a softening point of at least 60° C. are preferred. Carnauba wax and beeswax are particularly preferred. Carnauba wax is very particularly preferred. Carnauba wax is a natural wax which is obtained from the leaves of the carnauba palm and has a softening point of at

8

least 80° C. When the wax component is additionally used, it is used together with at least one polymer (C) in quantities such that the dosage form has a breaking strength of at least 500 N.

In a preferred embodiment, the breaking strength of the dosage form amounts to at least 500 N, to at least 600 N, to at least 700 N, to at least 800 N, to at least 900 N, to at least 1000 N or even to at least 1100 N.

Component (C) is preferably used in an amount of 20 to 99.9 wt. %, particularly preferably of at least 30 wt. %, very particularly preferably of at least 40 wt. %, relative to the total weight of the dosage form.

In increasingly preferred embodiments, the dosage form according to the invention has a density of at least 0.80 or at least 0.85 g/cm³, at least 0.90 or at least 0.95 g/cm³, at least 1.00, at least 1.05 or at least 1.10 g/cm³, in the range from 0.80 to 1.35 g/cm³, and in particular in the range from 0.95 to 1.25 g/cm³.

The dosage form according to the invention is characterized by a comparatively homogeneous distribution of density. Preferably, the densities of two segments of the dosage form having a volume of 1.0 mm³ each, deviate from one another by not more than $\pm 10\%$, or by not more than $\pm 7.5\%$, or by not more than $\pm 5.0\%$, most preferably not more than $\pm 2.5\%$, and in particular not more than $\pm 1.0\%$.

The dosage form according to the invention is characterized by a comparatively homogeneous distribution of the active substance with abuse potential (A). Preferably, the content of component (A) in two segments of the dosage form having a volume of 1.0 mm³ each, deviates from one another by not more than $\pm 10\%$, more preferably not more than $\pm 7.5\%$, still more preferably not more than $\pm 5.0\%$, most preferably not more than $\pm 2.5\%$, and in particular not more than $\pm 1.0\%$.

Preferably, the total weight of the dosage form according to the invention is within the range from 0.01 g to 1.5 g, more preferably 0.05 g to 1.2 g, still more preferably 0.1 g to 1.0 g, most preferably 0.2 g to 0.9 g and in particular 0.25 g to 0.8 g.

Auxiliary substances (B) which may be used are those known auxiliary substances which are conventional for the formulation of solid dosage forms. These are preferably plasticizers, such as polyethylene glycol, auxiliary substances which influence active ingredient release, preferably hydrophobic or hydrophilic, preferably hydrophilic polymers, very particularly preferably hydroxypropylcellulose, and/or antioxidants. Suitable antioxidants are ascorbic acid, butylhydroxyanisole, butylhydroxytoluene, salts of ascorbic acid, monothioglycerol, phosphorous acid, vitamin C, vitamin E and the derivatives thereof, sodium bisulfite, particularly preferably butylhydroxytoluene (BHT) or butylhydroxyanisole (BHA) and α -tocopherol.

The antioxidant is preferably used in quantities of 0.01 to 10 wt. %, preferably of 0.03 to 5 wt. %, relative to the total weight of the dosage form.

The dosage forms according to the invention are distinguished in that, due their hardness, they cannot be pulverized in conventional comminution means available to an abuser, such as a mortar and pestle. This virtually rules out oral or parenteral, in particular intravenous or nasal abuse. However, in order to prevent any possible abuse of the dosage form according to the invention, the dosage forms according to the invention may, in a preferred embodiment, contain further agents which complicate or prevent abuse as auxiliary substances (B).

The abuse-proofed dosage form according to the invention, which comprises, apart from one or more active ingredients with abuse potential, at least one hardening polymer (C) and

US 8,192,722 B2

9

optionally at least one wax (D), may accordingly also comprise at least one of the following components (a)-(e) as auxiliary substances (B):

at least one substance which irritates the nasal passages and/or pharynx,

at least one viscosity-increasing agent, which, with the assistance of a necessary minimum quantity of an aqueous liquid, forms a gel with the extract obtained from the dosage form, which gel preferably remains visually distinguishable when introduced into a further quantity of an aqueous liquid,

at least one antagonist for each of the active ingredients with abuse potential,

at least one emetic,

at least one dye as an aversive agent,

at least one bitter substance.

Components (a) to (f) are additionally each individually suitable for abuse-proofing the dosage form according to the invention. Accordingly, component (a) is preferably suitable for proofing the dosage form against nasal, oral and/or parenteral, preferably intravenous, abuse, component (b) is preferably suitable for proofing against parenteral, particularly preferably intravenous and/or nasal abuse, component (c) is preferably suitable for proofing against nasal and/or parenteral, particularly preferably intravenous, abuse, component (d) is preferably suitable for proofing against parenteral, particularly preferably intravenous, and/or oral and/or nasal abuse, component (e) is suitable as a visual deterrent against oral or parenteral abuse and component (f) is suitable for proofing against oral or nasal abuse. Combined use according to the invention of at least one of the above-stated components makes it possible still more effectively to prevent abuse of dosage forms according to the invention.

In one embodiment, the dosage form according to the invention may also comprise two or more of components (a)-(f) in a combination, preferably (a), (b) and optionally (c) and/or (f) and/or (e) or (a), (b) and optionally (d) and/or (f) and/or (e).

In another embodiment, the dosage form according to the invention may comprise all of components (a)-(f).

If the dosage form according to the invention comprises component (a) to counter abuse, substances which irritate the nasal passages and/or pharynx which may be considered according to the invention are any substances which, when administered via the nasal passages and/or pharynx, bring about a physical reaction which is either so unpleasant for the abuser that he/she does not wish to or cannot continue administration, for example burning, or physiologically counteracts taking of the corresponding active ingredient, for example due to increased nasal secretion or sneezing. These substances which conventionally irritate the nasal passages and/or pharynx may also bring about a very unpleasant sensation or even unbearable pain when administered parenterally, in particular intravenously, such that the abuser does not wish to or cannot continue taking the substance.

Particularly suitable substances which irritate the nasal passages and/or pharynx are those which cause burning, itching, an urge to sneeze, increased formation of secretions or a combination of at least two of these stimuli. Appropriate substances and the quantities thereof which are conventionally to be used are known per se to the person skilled or may be identified by simple preliminary testing.

The substance which irritates the nasal passages and/or pharynx of component (a) is preferably based on one or more constituents or one or more plant parts of at least one hot substance drug.

Corresponding hot substance drugs are known per se to the person skilled in the art and are described, for example, in

10

“Pharmazeutische Biologie—Drogen und ihre Inhaltsstoffe” by Prof. Dr. Hildebert Wagner, 2nd., revised edition, Gustav Fischer Verlag, Stuttgart-New York, 1982, pages 82 et seq. The disclosure of these references is expressly incorporated herein and made a part of this present application.

A dosage unit is taken to mean a separate or separable administration unit, such as for example a tablet or a capsule.

One or more constituents of at least one hot substance drug selected from the group consisting of *Allii sativi bulb* (garlic), *Asari rhizoma cum herba* (Asarum root and leaves), *Calami rhizoma* (calamus root), *Capsici fructus* (capsicum), *Capsici fructus acer* (cayenne pepper), *Curcuma longae rhizoma* (turmeric root), *Curcuma xanthorrhizae rhizoma* (Javanese turmeric root), *Galangae rhizoma* (galangal root), *Myristicae semen* (nutmeg), *Piperis nigri fructus* (pepper), *Sinapis albae semen* (white mustard seed), *Sinapis nigri semen* (black mustard seed), *Zedoariae rhizoma* (zedoary root) and *zingiberis rhizoma* (ginger root), particularly preferably from the group consisting of *Capsici fructus* (capsicum), *Capsici fructus acer* (cayenne pepper) and *Piperis nigri fructus* (pepper) may preferably be added as component (a) to the dosage form according to the invention.

The constituents of the hot substance drugs preferably comprise o-methoxy(methyl)phenol compounds, acid amide compounds, mustard oils or sulfide compounds or compounds derived therefrom.

Particularly preferably, at least one constituent of the hot substance drugs is selected from the group consisting of myristicin, elemicin, isoeugenol, α -asarone, saffrole, gingerols, xanthorrhizol, capsaicinoids, preferably capsaicin, capsaicin derivatives, such as N-vanillyl-9E-octadecanamide, dihydrocapsaicin, nordihydrocapsaicin, homocapsaicin, norcapsaicin and norcapsaicin, piperine, preferably transpiperine, glucosinolates, preferably based on non-volatile mustard oils, particularly preferably based on p-hydroxybenzyl mustard oil, methylmercapto mustard oil or methylsulfonyl mustard oil, and compounds derived from these constituents.

The dosage form according to the invention may preferably contain the plant parts of the corresponding hot substance drugs in a quantity of 0.01 to 30 wt. %, particularly preferably of 0.1 to 0.5 wt. %, in each case relative to the total weight of the dosage unit.

If one or more constituents of corresponding hot substance drugs are used, the quantity thereof in a dosage unit according to the invention preferably amounts to 0.001 to 0.005 wt. %, relative to the total weight of the dosage unit.

Another option for preventing abuse of the dosage form according to the invention consists in adding at least one viscosity-increasing agent as a further abuse-preventing component (b) to the dosage form, which, with the assistance of a necessary minimum quantity of an aqueous liquid, forms a gel with the extract obtained from the dosage form, which gel is virtually impossible to administer safely and preferably remains visually distinguishable when introduced into a further quantity of an aqueous liquid.

For the purposes of the present invention, visually distinguishable means that the active ingredient-containing gel formed with the assistance of a necessary minimum quantity of aqueous liquid, when introduced, preferably with the assistance of a hypodermic needle, into a further quantity of aqueous liquid at 37° C., remains substantially insoluble and cohesive and cannot straightforwardly be dispersed in such a manner that it can safely be administered parenterally, in particular intravenously. The material preferably remains visually distinguishable for at least one minute, preferably for at least 10 minutes.

US 8,192,722 B2

11

The increased viscosity of the extract makes it more difficult or even impossible for it to be passed through a needle or injected. If the gel remains visually distinguishable, this means that the gel obtained on introduction into a further quantity of aqueous liquid, for example by injection into blood, initially remains in the form of a largely cohesive thread, which, while it may indeed be broken up into smaller fragments, cannot be dispersed or even dissolved in such a manner that it can safely be administered parenterally, in particular intravenously. In combination with at least one optionally present component (a) to (e), this additionally leads to unpleasant burning, vomiting, bad flavor and/or visual deterrence.

Intravenous administration of such a gel would most probably result in obstruction of blood vessels, associated with serious harm to the health of the abuser.

In order to verify whether a viscosity-increasing agent is suitable as component (b) for use in the dosage form according to the invention, the active ingredient is mixed with the viscosity-increasing agent and suspended in 10 ml of water at a temperature of 25° C. If this results in the formation of a gel which fulfils the above-stated conditions, the corresponding viscosity-increasing agent is suitable for preventing or averting abuse of the dosage forms according to the invention.

If component (b) is added to the dosage form according to the invention, one or more viscosity-increasing agents are used which are selected from the group comprising microcrystalline cellulose containing carboxymethylcellulose sodium (e.g. Avicel® RC 591, FMC Corporation, Philadelphia, Pa., US), carboxymethylcellulose sodium (Blanose® Hercules Inc., Wilmington, US; CMC-Na C300P®, Cesalpinia Food S.p.A., Milano, IT; Frimulsion BLC-5®, Cesalpinia Food S.p.A., Milano, IT; Tylose C300 P® SE Tylose GmbH & Co. KG, Wiesbaden, DE), polyacrylic acid (Carbopol® 980 NF, Noveon IP Holdings Corp., Cleveland, Ohio, US, Carbopol® 981, Noveon IP Holdings Corp., Cleveland, Ohio, US), locust bean flour (Cesagum® LA-200, Cesalpinia Food S.p.A., Milano, IT; Cesagum® LID/150, Cesalpinia Food S.p.A., Milano, IT; Cesagum® LN-1, Cesalpinia Food S.p.A., Milano, IT), pectins, preferably from citrus fruits or apples (Cesapectin® HM Medium Rapid Set, Cesalpinia Food S.p.A., Milano, IT), waxy maize starch (C*Gel 04201®, Cerestar Deutschland GmbH, Krefeld, DE), sodium alginate (Frimulsion ALG (E401)®, Cesalpinia Food S.p.A., Milano, IT), guar flour (Frimulsion BM®, Cesalpinia Food S.p.A., Milano, IT; Polygum 26/1-75®, Polygal AG, Marstetten, CH), iota carrageen (Frimulsion D021®, Cesalpinia Food S.p.A., Milano, IT), karaya gum, gellan gum (Kelcogel F®, Kelcogel LT100®, CP Kelco ApS, Lille Skensved, DK), galactomannan (Meyprograt 150®, Meyhall Chemical, Kreuzlingen, CH), tara bean flour (Polygum 43/1®, Polygal AG, Marstetten, CH), propylene glycol alginate (Protanal-Ester SD-LB®, FCM Biopolymer AS, Drammen, NO), sodium hyaluronate, tragacanth, tara gum (Vidogum SP 200® Unipektin AG, Zurich, CH), fermented polysaccharide welan gum (K1A96), xanthan gum (Xantural 180®). Xanthans are particularly preferred. The names stated in brackets are the trade names by which the materials are known commercially. In general, a quantity of 0.1 to 20 wt. %, particularly preferably of 0.1 to 15 wt. % of the stated viscosity-increasing agent(s) is sufficient to fulfill the above-stated conditions

The component (b) viscosity-increasing agents, where provided, are preferably present in the dosage form according to the invention in quantities of ≥ 5 mg per dosage unit, i.e. per administration unit.

12

In a particularly preferred embodiment of the present invention, the viscosity-increasing agents used as component (b) are those which, on extraction from the dosage form with the necessary minimum quantity of aqueous liquid, form a gel which encloses air bubbles. The resultant gels are distinguished by a turbid appearance, which provides the potential abuser with an additional optical warning and discourages him/her from administering the gel parenterally.

Component (C) may also optionally serve as an additional viscosity-increasing agent which, with the assistance of a minimum necessary quantity of an aqueous liquid, forms a gel.

It is also possible to formulate the viscosity-increasing agent and the other constituents in the dosage form according to the invention in a mutually spatially separated arrangement.

In order to discourage and prevent abuse, the dosage form according to the invention may furthermore comprise component (c), namely one or more antagonists for the active ingredient or active ingredients with abuse potential, wherein the antagonists are preferably spatially separated from the remaining constituents of the invention dosage according to the form and, when correctly used, do not exert any effect.

Suitable antagonists for preventing abuse of the active ingredients are known per se to the person skilled in the art and may be present in the dosage form according to the invention as such or in the form of corresponding derivatives, in particular esters or ethers, or in each case in the form of corresponding physiologically acceptable compounds, in particular in the form of the salts or solvates thereof.

If the active ingredient present in the dosage form is an opioid, the antagonist used is preferably an antagonist selected from the group comprising naloxone, naltrexone, nalmefene, nalid, nalmexone, nalorphine or naluphine, in each case optionally in the form of a corresponding physiologically acceptable compound, in particular in the form of a base, a salt or solvate. The corresponding antagonists, where component (c) is provided, are preferably used in a quantity of ≥ 1 mg, particularly preferably in a quantity of 3 to 100 mg, very particularly preferably in a quantity of 5 to 50 mg per dosage form, i.e. per administration unit.

If the dosage form according to the invention comprises a stimulant as active ingredient, the antagonist is preferably a neuroleptic, preferably at least one compound selected from the group consisting of haloperidol, promethazine, fluphenazine, perphenazine, levomepromazine, thioridazine, perazine, chlorpromazine, chlorprothixine, zuclopentixol, flupentixol, prothipendyl, zotepine, benperidol, pipamperone, melperone and bromperidol.

The dosage form according to the invention preferably comprises these antagonists in a conventional therapeutic dose known to the person skilled in the art, particularly preferably in a quantity of twice to four times the conventional dose per administration unit.

If the combination to discourage and prevent abuse of the dosage form according to the invention comprises component (d), it may comprise at least one emetic, which is preferably present in a spatially separated arrangement from the other components of the dosage form according to the invention and, when correctly used, is intended not to exert its effect in the body.

Suitable emetics for preventing abuse of an active ingredient are known per se to the person skilled in the art and may be present in the dosage form according to the invention as such or in the form of corresponding derivatives, in particular esters or ethers, or in each case in the form of corresponding

US 8,192,722 B2

13

physiologically acceptable compounds, in particular in the form of the salts or solvates thereof.

An emetic based on one or more constituents of ipecacuanha (ipecac) root, preferably based on the constituent emetine may preferably be considered in the dosage form according to the invention, as are, for example, described in "Pharmazeutische Biologie—Drogen und ihre Inhaltsstoffe" by Prof. Dr. Hildebert Wagner, 2nd, revised edition, Gustav Fischer Verlag, Stuttgart, New York, 1982. The disclosure of these references is expressly incorporated herein and made a part of this present application.

The dosage form according to the invention may preferably comprise the emetic emetine as component (d), preferably in a quantity of ≥ 3 mg, particularly preferably of ≥ 10 mg and very particularly preferably in a quantity of ≥ 20 mg per dosage form, i.e. administration unit.

Apomorphine may likewise preferably be used as an emetic in the abuse-proofing according to the invention, preferably in a quantity of preferably ≥ 3 mg, particularly preferably of ≥ 5 mg and very particularly preferably of ≥ 7 mg per administration unit.

If the dosage form according to the invention contains component (e) as a further abuse-preventing auxiliary substance, the use of a such a dye brings about an intense coloration of a corresponding aqueous solution, in particular when the attempt is made to extract the active ingredient for parenteral, preferably intravenous administration, which coloration may act as a deterrent to the potential abuser. Oral abuse, which conventionally begins by means of aqueous extraction of the active ingredient, may also be prevented by this coloration. Suitable dyes and the quantities required for the necessary deterrence may be found in WO 03/015531. The disclosure of this reference is expressly incorporated herein and made a part of this present application.

If the dosage form according to the invention contains component (f) as a further abuse-preventing auxiliary substance, this addition of at least one bitter substance and the consequent impairment of the flavor of the dosage form additionally prevents oral and/or nasal abuse.

Suitable bitter substances and the quantities effective for use may be found in US-2003/0064099 A1. The disclosure of this reference is expressly incorporated herein and made a part of this present application. Suitable bitter substances are preferably aromatic oils, preferably peppermint oil, eucalyptus oil, bitter almond oil, menthol, fruit aroma substances, preferably aroma substances from lemons, oranges, limes, grapefruit or mixtures thereof, and/or denatonium benzoate (Bitrex®). Denatonium benzoate is particularly preferred.

The solid dosage form according to the invention is suitable to be taken orally, vaginally or rectally, preferably orally. The dosage form is preferably not in film form.

The dosage form according to the invention may assume multiparticulate form, preferably in the form of microtablets, microcapsules, micropellets, granules, spheroids, beads or pellets, optionally packaged in capsules or pressed into tablets, preferably for oral administration. The multiparticulate forms preferably have a size or size distribution in the range from 0.1 to 3 mm, particularly preferably in the range from 0.5 to 2 mm. Depending on the desired dosage form, conventional auxiliary substances (B) are optionally also used for the formulation of the dosage form.

The solid, abuse-proofed dosage form according to the invention is preferably produced by thermoforming with the assistance of an extruder without any observable consequent discoloration of the extrudates.

In order to investigate the extent of discoloration due to this thermoforming, the color of the mixture of starting compo-

14

nents of which the dosage form consists is first determined without addition of a color-imparting component, such as for example a coloring pigment or an intrinsically colored component (for example α -tocopherol). This composition is then thermoformed according to the invention, wherein all process steps, including cooling of the extrudate, are preferably performed under an inert gas atmosphere. By way of comparison, the same composition is produced by the same process, but without an inert gas atmosphere. The color of the dosage form produced according to the invention from the starting composition and of the dosage form produced by way of comparison is determined. The determination is performed with the assistance of "Munsell Book of Color" from Munsell Color Company Baltimore, Md., USA, 1966 edition. If the color of the dosage form thermoformed according to the invention has a color with identification no. N 9.5, but at most a color with the identification no. 5Y 9/1, thermoforming is classed as being "without discoloration". If the dosage form has a color with the identification no. 5Y 9/2 or greater, as determined according to the Munsell Book of Color, the thermoforming is classed as being "with discoloration".

Surprisingly, the dosage forms according to the invention exhibit no discoloration classed in accordance with the above classification, if the entire production process is performed under an inert gas atmosphere, preferably under a nitrogen atmosphere with the assistance of an extruder for thermoforming.

In one embodiment of the present invention the abuse-proofed dosage forms are produced by a process comprising mixing components (A), the optionally present component (B), (C) and the optionally present component (D) and co-mixing the optionally present components a) to f) or, if necessary, separately mixing with the addition of component (C) and optionally (D),

heating the resultant mixture or the resultant mixtures in the extruder at least up to the softening point of component (C) and extruding the mixture through the outlet orifice of the extruder by application of force,

singulating and forming the still plastic extrudate into the dosage form or

cooling and forming the extrudate into the dosage form, wherein process steps II) and III) and optionally process steps I) and IV) are optionally performed under an inert gas atmosphere, preferably a nitrogen atmosphere.

Mixing of the components according to process step I) may also proceed in the extruder.

Mixing of components (A), optionally (B), (C) and optionally (D) and of the optionally present further components (a)-(f) and optionally components (C) and the optionally present component (D) may also optionally proceed in a mixer known to the person skilled in the art. The mixer may, for example, be a roll mixer, shaking mixer, shear mixer or compulsory mixer.

Before blending with the remaining components, component (C) and the optionally present component (D) is preferably provided according to the invention with an antioxidant. This may proceed by mixing the two components, (C) and the antioxidant, preferably by dissolving or suspending the antioxidant in a highly volatile solvent and homogeneously mixing this solution or suspension with component (C) and the optionally present component (D) and removing the solvent by drying, preferably under an inert gas atmosphere. Alternatively, a physiologically acceptable auxiliary substance (B) or a wax (D) may serve as the solvent, preferably at elevated temperature. For example, when polyethylene glycol is used as a plasticizer, it may be molten or liquefied at moderately

US 8,192,722 B2

15

elevated temperature and the antioxidant may be dissolved therein. Under these circumstances the highly volatile solvent can be omitted.

The dosage forms according to the invention which contain subunits with further auxiliary substances which prevent or complicate abuse may be produced by coextruding or separately extruding the mixtures according to step I).

In any event, the, preferably molten, mixture or mixtures which has/have been heated in the extruder at least up to the softening point of component (C) is/are extruded from the extruder through a die with at least one bore.

The process according to the invention is preferably performed using conventional screw extruders, particularly preferably twin-screw-extruders.

The extruder preferably comprises at least two temperature zones, with heating of the mixture at least up to the softening point of component (C) proceeding in the first zone, which is downstream from a feed zone and optionally mixing zone. The throughput of the mixture is preferably from 2.0 kg to 8.0 kg/hour.

After heating at least up to the softening point of component (C), the molten mixture is conveyed with the assistance of the screws, further homogenized, compressed or compacted such that, immediately before emerging from the extruder die, it exhibits a minimum pressure of 5 bar, preferably of at least 10 bar, and is extruded through the die as an extruded strand or strands, depending on the number of bores which the die comprises. The die geometry or the geometry of the bores is freely selectable. The die or the bores may accordingly exhibit a round, oblong or oval cross-section, wherein the round cross-section preferably has a diameter of 0.1 mm to 15 mm and the oblong cross-section preferably has a maximum lengthwise extension of 21 mm and a crosswise extension of 10 mm. Preferably, the die or the bores have a round cross-section. The casing of the extruder used according to the invention may be heated or cooled. The corresponding temperature control, i.e. heating or cooling, is so arranged that the mixture to be extruded exhibits at least an average temperature (product temperature) corresponding to the softening temperature of component (C) and does not rise above a temperature at which the active substance with abuse potential which is to be processed may be damaged. Preferably, the temperature of the mixture to be extruded is adjusted to below 180° C., preferably below 150° C., but at least to the softening temperature of component (C).

In general, the following parameters are critical in extrusion processes and have the consequences described:

1. Throughput (kg Per Hour)

If the throughput is too low the extruder is not correctly filled and the material is stressed thereby affecting the viscosity and the release profile of the final product; if the throughput is too high the load of the extruder is higher than 100% and the extruder shuts down automatically; and if the throughput is tolerable but close to the upper limit significant expansion of the extruded strand occurs (also known as "die swelling").

2. Screw Geometry

A minimum number of kneading elements is required in order to obtain a homogeneous mixture; if the number is too high, the material is stressed thereby affecting the viscosity and the release profile of the final product. The number and lead of the conveying elements influences the homogeneity of the mixture and its residence time in the extruder and controls the increase of the pressure in front of the die. Mixing elements improve the homogeneity of the mixture; and eccentric screw heads allow for a continuous discharge of the extrudate without density variations.

16

3. Die and Merge Element Geometry

The geometry of the element which merges the extrusion strands in front of the die, and geometry of the die itself, the residence time in said element, and the ratio length of the die to diameter of the die influence the compression of the material thereby affecting the melt pressure. The die pressure depends on revolution, throughput and melt temperature and affects the viscosity and the release profile of the final product.

4. Temperature (Melt Zones)

The feeding cylinder should not be heated to prevent the starting material from melting in the feeder and causing an accumulation. The number of cylinders is variable, the longer the extruder the longer the residence time. The temperature of the cylinders (except feeding cylinder) destroys the material if it is too high: if too low the material does not sufficiently melt thereby resulting in an inhomogeneous mixture and degradation. The die temperature, if separately set too low, causes the "extrusion skin" to not properly form thereby making further processing of the extrudate difficult.

5. Revolution of the Extruder

If the extruder revolution speed is too high the material is stressed thereby affecting the viscosity and the release profile of the final product. If the extruder revolution speed is too low the load of the extruder is higher than 100% and the extruder shuts down automatically; and inter alia the residence time depends on the revolution.

6. Arrangement of Cylinders

The position of feeding cylinder and length of the extruder are important. The degassing should be located close to the feeder in order to avoid air pockets in the product; and if one of the components is thermo-labile it may be separately fed into one of the rear cylinders.

7. Temperature of the Water Cooling

Cooling of the engine and control of the temperature of the extrusion cylinders are important parameters.

The process according to the invention requires the use of suitable extruders, preferably screw extruders. Screw extruders which are equipped with two screws (twin-screw-extruders) are particularly preferred. Single-screw extruders are preferably excluded.

The extrusion is preferably performed so that the expansion of the strand due to extrusion is not more than 50%, i.e. that when using a die with a bore having a diameter of e.g. 6 mm, the extruded strand should have a diameter of not more than 9 mm. More preferably, the expansion of the strand is not more than 40%, still more preferably not more than 35%, most preferably not more than 30% and in particular not more than 25%. It has been surprisingly found that if the extruded material in the extruder is exposed to a mechanical stress exceeding a certain limit, a significant expansion of the strand occurs thereby resulting in undesirable irregularities of the properties of the extruded strand, particularly its mechanical properties.

For example, extrusion may be performed by means of a twin-screw-extruder type Micro 27 GL 40 D (Leistritz, Nürnberg, Germany), screw diameter 18 mm. Screws having eccentric ends may be used. A heatable die with a round bore having a diameter of 8 mm may be used. The entire extrusion process may be performed under nitrogen atmosphere. The extrusion parameters may be adjusted e.g. to the following values: rotational speed of the screws: 100 Upm; delivery rate: 4 kg/h; product temperature: 125° C.; and jacket temperature: 120° C.

After extrusion of the molten mixture and optional cooling of the extruded strand or extruded strands, the extrudates are preferably singulated. This singulation may preferably be

performed by cutting up the extrudates by means of revolving or rotating knives, water jet cutters, wires, blades or with the assistance of laser cutters.

An inert gas atmosphere is not necessary for intermediate or final storage of the optionally singulated extrudate or the final shape of the dosage form according to the invention.

The singulated extrudate may be pelletized with conventional methods or be press-molded into tablets in order to impart the final shape to the dosage form. It is, however, also possible not to singulate the extruded strands and, with the assistance of contrarotating calender rolls comprising opposing recesses in their outer sleeve, to form them into the final shape, preferably a tablet, and to singulate these by conventional methods.

Should the optionally singulated extrudate not immediately be formed into the final shape, but instead cooled for storage, after the period of storage an inert gas atmosphere, preferably a nitrogen atmosphere, may optionally be provided and may be maintained during heating of the stored extrudate up until plasticization and definitive shaping to yield the dosage form.

The application of force in the extruder onto the at least plasticized mixture is adjusted by controlling the rotational speed of the conveying device in the extruder and the geometry thereof and by dimensioning the outlet orifice in such a manner that the pressure necessary for extruding the plasticized mixture is built up in the extruder, preferably immediately prior to extrusion. The extrusion parameters which, for each particular composition, are necessary to give rise to a dosage form with a breaking strength of at least 500 N, may be established by simple preliminary testing.

The process according to the invention involves the extrusion of a composition comprising components (A), (C), optionally (B) and optionally (D). Preferably, extrusion is performed by means of twin-screw-extruders.

It has been surprisingly found that extrudates exhibiting an advantageous morphology are obtainable by means of twin-screw-extruders. It has been found that under suitable conditions the extrudate is surrounded by a shell which may be denoted as "extrusion skin". Said extrusion skin can be regarded as a collar-like or tubular structure forming a circumferential section of the extrudate about its longitudinal extrusion axis so that the outer surface of said collar-like or tubular structure forms the closed shell of the extrudate. Usually, only the front faces of the extrudate are not covered by said extrusion skin.

The extrusion skin surrounds the core of the extrudate in a collar-like or tubular arrangement and preferably is connected therewith in a seamless manner. The extrusion skin differs from said core in its morphology. Usually, the extrusion skin is visible with the naked eye in the cross-section of the extrudate, optionally by means of a microscope, since due to the different morphology of the material forming the extrusion skin and the material forming the core, the optical properties differ as well. It seems that during extrusion the material forming the extrusion skin is exposed to mechanical and thermal conditions differing from the conditions the core of the extrudate is exposed to. In consequence, a heterogeneous morphology of the extruded strand is obtained, which e.g. assumes radial symmetry when an extrusion die having circular shape is used. The material forming the extrusion skin and the material forming the core are usually distinguished by their morphology, preferably, however, not by their composition, particularly not by the relative content of components (A), (C), optionally (B) and optionally (D).

Usually the extrusion skin covers the entire shell of the extrudate like a one-piece collar, independently of what

geometry has been chosen for the extrusion die. Therefore, the extrudate may assume circular, elliptic or other cross-sections.

The extrusion skin is preferably characterized by a unitary thickness. Preferably, the thickness of the extrusion skin is within the range from 0.1 to 4.0 mm, more preferably 0.15 to 3.5 mm, still more preferably 0.2 to 3.0 mm, most preferably 0.2 to 2.5 mm and in particular 0.2 to 2.0 mm. In a preferred embodiment the thickness of the extrusion skin in the sum over both opposing sides amounts to 0.5 to 50%, more preferably 1.0 to 40%, still more preferably 1.5 to 35%, most preferably 2.0 to 30% and in particular 2.5 to 25% of the diameter of the extrudate.

FIG. 1 shows a schematic view of extrudate (71) having a collar-like extrusion skin (72) entirely surrounding the core (73) about the longitudinal extrusion axis (74). The outer surface of extrusion skin (72) forms the shell (75) of the extrudate (71).

It has been surprisingly found that extrudates having an extrusion skin exhibit beneficial mechanical properties. They are particularly suitable as intermediates in the production of the dosage forms according to the invention, because they may be advantageously processed, in particular by singulating and/or forming.

When the dosage forms according to the invention are prepared by means of extrusion processes which lead to intermediates having an extrusion skin as described above, the dosage forms obtained therefrom are preferably also characterized by a particular morphology.

In a preferred embodiment those regions, which have formed the extrusion skin in the extruded intermediate, are still visible with the naked eye, optionally by means of a microscope, in the cross-section of the dosage form. This is because usually by further processing the extrudate, particularly by singulating and/or shaping, the different nature and thereby also the different optical properties of the material forming the extrusion skin and the material forming the core are maintained. In the following, that domain of the dosage forms which has emerged from the extrusion skin in the course of further processing the extruded intermediate, will be denoted as "tubular domain".

Preferably, the dosage form according to the invention comprises a tubular domain and a core located therein. Preferably, the tubular domain is connected with the core in a seamless manner. Preferably the tubular domain as well as the core have substantially the same chemical composition, i.e. substantially the same relative content of components (A), (C), optionally (B) and optionally (D). The material forming the tubular domain has a morphology differing from the material forming the core. Usually, this different morphology is also expressed in terms of different optical properties, so that the tubular domain and the core are visible with the naked eye in the cross-section of the dosage form.

In case that the dosage form has been coated, e.g. by a film coating, the tubular domain is located between the film coating and the core.

Since the dosage form according to the invention may be obtained in different ways from the extrudate containing the extrusion skin (intermediate), the tubular domain may take different arrangements and extensions within the dosage form according to the invention. All arrangements have in common, however, that the tubular domain partially covers the surface of the core, but usually not its entire surface. Preferably, two opposing surfaces of the core are not, or at least not fully covered by the tubular domain. In other words, preferably the tubular domain has two openings/blanks on opposing sides.

US 8,192,722 B2

19

The thickness of the tubular domain may be uniform. It is also possible, however, that in the course of the processing, i.e. due to the subsequent shaping (e.g. press-forming) of the extrudate, various sections of the extrusion skin are expanded or compressed differently thereby leading to a variation of the thickness of the tubular domain within the dosage form.

Preferably the thickness of the tubular domain is within the range from 0.1 to 4.0 mm, more preferably 0.15 to 3.5 mm, still more preferably 0.2 to 3.0 mm, most preferably 0.2 to 2.5 mm and in particular 0.2 to 2.0 mm.

FIGS. 2A and 2B show schematic views of preferred arrangements of the tubular domain within the dosage form according to the invention. The dosage forms (81) contain a tubular domain (82) partially surrounding the core (83). The opposing surfaces (84a) and (84b) of the core (83), however, are not covered by the tubular domain (82).

The process for the preparation of the dosage form according to the invention is preferably performed continuously. Preferably, the process involves the extrusion of a homogeneous mixture of components (A), (C), optionally (B) and optionally (D). It is particularly advantageous if the obtained intermediate, e.g. the strand obtained by extrusion, exhibits uniform properties. Particularly desirable are uniform density, uniform distribution of the active substance, uniform mechanical properties, uniform porosity, uniform appearance of the surface, etc. Only under these circumstances the uniformity of the pharmacological properties, such as the stability of the release profile, may be ensured and the amount of rejects can be kept low.

Preferably, the process according to the present invention may be performed with less than 25% rejects, more preferably less than 20%, most preferably less than 15% and in particular less than 10% rejects, wherein the criteria for rejection are the FDA standards regarding the intervariability of the content of component (A), its release profile and/or the density of the dosage form when comparing two dosage forms, preferably taken from the same batch.

It has been surprisingly found that the above properties may be obtained by means of twin-screw-extruders.

The process according to the invention preferably involves the extrusion of a mixture of components (A), (C), optionally (B) and optionally (D), preferably by means of a twin-screw-extruder. After extrusion the extrudate is preferably singulated, shaped and optionally coated in order to obtain the final dosage form.

In a preferred embodiment of the process according to the invention, shaping is performed in the plasticized state of the mixture of components (A), (C), optionally (B) and optionally (D). It has been surprisingly found that the extrusion of certain polymers (C), particular of high molecular weight polyethylene oxides, yields intermediates exhibiting some kind of memory effect: when the singulated extrudates are shaped at ambient temperature, e.g. by press-forming, dosage forms are obtained which tend to regain their original outer form upon storage under stressed storage conditions, i.e. they return to the form they had prior to shaping.

The shape of the dosage form upon storage at stressed conditions, e.g. at 40° C./75% RH, may also be unstable for other reasons.

Said memory effect significantly deteriorates the storage stability of the dosage form, as by regaining its outer form several properties of the dosage form are changed. The same applies to any changes of the outer form due to other reasons.

It has been found that, for example, depending on the extrusion conditions a significant expansion of the strand may occur thereby resulting in an increase of the volume of the extrudate, i.e. a decrease of its density. Said expansion may be

20

compensated by subsequently press-forming the singulated extrudate at a sufficient pressure, since under these conditions the expansion of the material may be reversed.

However, if press-forming has been performed at ambient temperature, the memory effect of the compressed extrudate will cause it to swell and to expand upon storage, thereby significantly increasing the volume of the dosage form.

It has been surprisingly found that such memory effect may be suppressed if shaping of the singulated extrudate is performed at increased temperature, i.e. in the plasticized state of the mixture of components (A), (C), optionally (B) and optionally (D). Preferably, shaping is performed at a pressure of at least 1 kN, more preferably within the range from 2 kN to 50 kN, e.g. by means of a tablet press. Preferably, shaping is performed at a temperature which preferably is about 40° C., more preferably about 30° C. and in particular about 25° C. below the melting range of the mixture of components (A), (C), optionally (B) and optionally (D). The melting range of a given mixture may be determined by conventional methods, preferably by DSC (e.g. with a DSC model 2920 (TA Instruments, New Castle) and ultrahigh pure nitrogen as purge gas at a flow rate of 150 ml/min; approximate sample weight of 10-20 mg, sealed in nonhermetic aluminium pans; temperature ramp speed 10° C./min).

In a preferred embodiment the outer shape of the dosage form according to the invention does not substantially change when being stored for at least 12 h, preferably for at least 24 h, at 40° C. and 75% RH, preferably in an open container.

In a preferred embodiment the volume of the dosage form according to the invention increases by not more than 20% or 17.5%, more preferably not more than 15% or 12.5%, still more preferably not more than 10% or 7.5%, most preferably not more than 6.0%, 5.0% or 4.0% and in particular not more than 3.0%, 2.0% or 1.0% when being stored for at least 12 h, preferably for at least 24 h, at a temperature of 20° C. below the melting range of the mixture of components (A), (C), optionally (B) and optionally (D), optionally at a temperature of 40° C. and 75% RH.

In a further preferred embodiment, the dosage form according to the invention assumes the form of a tablet, a capsule or is in the form of an oral osmotic therapeutic system (OROS), preferably if at least one further abuse-preventing component (a)-(f) is also present.

If components (c) and/or (d) and/or (f) are present in the dosage form according to the invention, care must be taken to ensure that they are formulated in such a manner or are present in such a low dose that, when correctly administered, the dosage form is able to bring about virtually no effect which impairs the patient or the efficacy of the active ingredient.

If the dosage form according to the invention contains component (d) and/or (f), the dosage must be selected such that, when correctly orally administered, no negative effect is caused. If, however, the intended dosage of the dosage form is exceeded in the event of abuse, nausea or an inclination to vomit or a bad flavor are produced. The particular quantity of component (d) and/or (f) which can still be tolerated by the patient in the event of correct oral administration may be determined by the person skilled in the art by simple preliminary testing.

If, however, irrespective of the fact that the dosage form according to the invention is virtually impossible to pulverize, the dosage form containing the components (c) and/or (d) and/or (f) is provided with protection, these components should preferably be used at a dosage which is sufficiently high that, when abusively administered, they bring about an intense negative effect on the abuser. This is preferably

US 8,192,722 B2

21

achieved by spatial separation of at least the active ingredient or active ingredients from components (c) and/or (d) and/or (f), wherein the active ingredient or active ingredients is/are present in at least one subunit (X) and components (c) and/or (d) and/or (f) is/are present in at least one subunit (Y), and wherein, when the dosage form is correctly administered, components (c), (d) and (f) do not exert their effect on taking and/or in the body and the remaining components of the formulation, in particular component (C) and optionally (D), are identical.

If the dosage form according to the invention comprises at least 2 of components (c) and (d) or (f), these may each be present in the same or different subunits (Y). Preferably, when present, all the components (c) and (d) and (f) are present in one and the same subunit (Y).

For the purposes of the present invention, subunits are solid formulations, which in each case, apart from conventional auxiliary substances known to the person skilled in the art, contain the active ingredient(s), at least one polymer (C) and the optionally present component (D) and optionally at least one of the optionally present components (a) and/or (b) and/or (e) or in each case at least one polymer (C) and optionally (D) and the antagonist(s) and/or emetic(s) and/or component (e) and/or component (f) and optionally at least one of the optionally present components (a) and/or (b). Care must here be taken to ensure that each of the subunits is formulated in accordance with the above-stated process.

One substantial advantage of the separated formulation of active ingredients from components (c) or (d) or (f) in subunits (X) and (Y) of the dosage form according to the invention is that, when correctly administered, components (c) and/or (d) and/or (f) are hardly released on taking and/or in the body or are released in such small quantities that they exert no effect which impairs the patient or therapeutic success or, on passing through the patient's body, they are only liberated in locations where they cannot be sufficiently absorbed to be effective. When the dosage form is correctly administered, preferably hardly any of components (c) and/or (d) and/or (f) is released into the patient's body or they go unnoticed by the patient.

The person skilled in the art will understand that the above-stated conditions may vary as a function of the particular components (c), (d) and/or (f) used and of the formulation of the subunits or the dosage form. The optimum formulation for the particular dosage form may be determined by simple preliminary testing. What is vital is that each subunit contains the polymer (C) and optionally component (D) and has been formulated in the above-stated manner.

Should, contrary to expectations, the abuser succeed in comminuting such a dosage form according to the invention, which comprises components (c) and/or (e) and/or (d) and/or (f) in subunits (Y), for the purpose of abusing the active ingredient and obtain a powder which is extracted with a suitable extracting agent, not only the active ingredient but also the particular component (c) and/or (e) and/or (f) and/or (d) will be obtained in a form in which it cannot readily be separated from the active ingredient, such that when the dosage form which has been tampered with is administered, in particular by oral and/or parenteral administration, it will exert its effect on taking and/or in the body combined with an additional negative effect on the abuser corresponding to component (c) and/or (d) and/or (f) or, when the attempt is made to extract the active ingredient, the coloration will act as a deterrent and so prevent abuse of the dosage form.

A dosage form according to the invention, in which the active ingredient or active ingredients is/are spatially separated from components (c), (d) and/or (e), preferably by for-

22

mulation in different subunits, may be formulated in many different ways, wherein the corresponding subunits may each be present in the dosage form according to the invention in any desired spatial arrangement relative to one another, provided that the above-stated conditions for the release of components (c) and/or (d) are fulfilled.

The person skilled in the art will understand that component(s) (a) and/or (b) which are optionally also present may preferably be formulated in the dosage form according to the invention both in the particular subunits (X) and (Y) and in the form of independent subunits corresponding to subunits (X) and (Y), provided that neither the abuse-proofing nor the active ingredient release in the event of correct administration is impaired by the nature of the formulation and the polymer (C) and optionally (D) is included in the formulation and formulation is carried out in accordance with the above-stated process in order to achieve the necessary hardness.

In a preferred embodiment of the dosage form according to the invention, subunits (X) and (Y) are present in multiparticulate form, wherein microtablets, microcapsules, micro-pellets, granules, spheroids, beads or pellets are preferred and the same form, i.e. shape, is selected for both subunit (X) and subunit (Y), such that it is not possible to separate subunits (X) from (Y) by mechanical selection. The multiparticulate forms are preferably of a size in the range from 0.1 to 3 mm, preferably of 0.5 to 2 mm.

The subunits (X) and (Y) in multiparticulate form may also preferably be packaged in a capsule or be pressed into a tablet, wherein the final formulation in each case proceeds in such a manner that the subunits (X) and (Y) are also retained in the resultant dosage form.

The multiparticulate subunits (X) and (Y) of identical shape should also not be visually distinguishable from one another so that the abuser cannot separate them from one another by simple sorting. This may, for example, be achieved by the application of identical coatings which, apart from this disguising function, may also incorporate further functions, such as, for example, controlled release of one or more active ingredients or provision of a finish resistant to gastric juices on the particular subunits.

The multiparticulate subunits may also be formulated as an oral dosage form as a slurry or suspension in pharmaceutically safe suspending media.

In a further preferred embodiment of the present invention, subunits (X) and (Y) are in each case arranged in layers relative to one another.

The layered subunits (X) and (Y) are preferably arranged for this purpose vertically or horizontally relative to one another in the dosage form according to the invention, wherein in each case one or more layered subunits (X) and one or more layered subunits (Y) may be present in the dosage form, such that, apart from the preferred layer sequences (X)—(Y) or (X)—(Y)—(X), any desired other layer sequences may be considered, optionally in combination with layers containing components (a) and/or (b).

Another preferred dosage form according to the invention is one in which subunit (Y) forms a core which is completely enclosed by subunit (X), wherein a separation layer (Z) may be present between said layers. Such a structure is preferably also suitable for the above-stated multiparticulate forms, wherein both subunits (X) and (Y) and an optionally present separation layer (Z), which must satisfy the hardness requirement according to the invention, are formulated in one and the same multiparticulate form. In a further preferred embodiment of the dosage form according to the invention, the subunit (X) forms a core, which is enclosed by subunit (Y),

US 8,192,722 B2

23

wherein the latter comprises at least one channel which leads from the core to the surface of the dosage form.

The dosage form according to the invention may comprise, between one layer of the subunit (X) and one layer of the subunit (Y), in each case one or more, preferably one, optionally swellable separation layer (Z) which serves to separate subunit (X) spatially from (Y).

If the dosage form according to the invention comprises the layered subunits (X) and (Y) and an optionally present separation layer (Z) in an at least partially vertical or horizontal arrangement, the dosage form preferably takes the form of a tablet, a coextrudate or a laminate.

In one particularly preferred embodiment, the entirety of the free surface of subunit (Y) and optionally at least part of the free surface of subunit(s) (X) and optionally at least part of the free surface of the optionally present separation layer(s) (Z) may be coated with at least one barrier layer (Z') which prevents release of component (c) and/or (e) and/or (d) and/or (f). The barrier layer (Z') must also fulfill the hardness conditions according to the invention.

Another particularly preferred embodiment of the dosage form according to the invention comprises a vertical or horizontal arrangement of the layers of subunits (X) and (Y) and at least one push layer (p) arranged therebetween, and optionally a separation layer (z), in which dosage form the entirety of the free surface of layer structure consisting of subunits (X) and (Y), the push layer and the optionally present separation layer (z) is provided with a semipermeable coating (E), which is permeable to a release medium, i.e. conventionally a physiological liquid, but substantially impermeable to the active ingredient and to component (c) and/or (d) and/or (f), and wherein this coating (E) comprises at least one opening for release of the active ingredient in the area of subunit (X).

A corresponding dosage form is known to the person skilled in the art, for example under the name oral osmotic therapeutic system (OROS), as are suitable materials and methods for the production thereof, inter alia from U.S. Pat. Nos. 4,612,008, 4,765,989 and 4,783,337. The disclosure of these references is expressly incorporated herein and made a part of this present application.

In a further preferred embodiment, the subunit (X) of the dosage form according to the invention is in the form of a tablet, the edge face of which and optionally one of the two main faces is covered with a barrier layer (Z') containing component (c) and/or (d) and/or (f).

The person skilled in the art will understand that the auxiliary substances of the subunit(s) (X) or (Y) and of the optionally present separation layer(s) (Z) and/or of the barrier layer(s) (Z') used in formulating the dosage form according to the invention will vary as a function of the arrangement thereof in the dosage form according to the invention, the mode of administration and as a function of the particular active ingredient of the optionally present components (a) and/or (b) and/or (e) and of component (c) and/or (d) and/or (f). The materials which have the requisite properties are in each case known per se to the person skilled in the art.

If release of component (c) and/or (d) and/or (f) from subunit (Y) of the dosage form according to the invention is prevented with the assistance of a cover, preferably a barrier layer, the subunit may consist of conventional materials known to the person skilled in the art, providing that it contains at least one polymer (C) and optionally (D) to fulfill the hardness condition of the dosage form according to the invention.

If a corresponding barrier layer (Z') is not provided to prevent release of component (c) and/or (d) and/or (f), the materials of the subunits should be selected such that release

24

of the particular component (c) and/or (d) from subunit (Y) is virtually ruled out. The materials which are stated below to be suitable for production of the barrier layer may preferably be used for this purpose.

Preferred materials are those which are selected from the group comprising alkylcelluloses, hydroxyalkyl-celluloses, glucans, scleroglucans, mannans, xanthans, copolymers of poly[bis(p-carboxyphenoxy)propane and sebacic acid, preferably in a molar ratio of 20:80 (commercially available under the name Polifeprosan 20®), carboxymethylcelluloses, cellulose ethers, cellulose esters, nitrocelluloses, polymers based on (meth)acrylic acid and the esters thereof, polyamides, polycarbonates, polyalkylenes, polyalkylene glycols, polyalkylene oxides, polyalkylene terephthalates, polyvinyl alcohols, polyvinyl ethers, polyvinyl esters, halogenated polyvinyls, polyglycolides, polysiloxanes and polyurethanes and the copolymers thereof.

Particularly suitable materials may be selected from the group comprising methylcellulose, ethylcellulose, hydroxypropylcellulose, hydroxypropylmethylcellulose, hydroxybutylmethylcellulose, cellulose acetate, cellulose propionate (of low, medium or high molecular weight), cellulose acetate propionate, cellulose acetate butyrate, cellulose acetate phthalate, carboxymethylcellulose, cellulose triacetate, sodium cellulose sulfate, polymethyl methacrylate, polyethyl methacrylate, polybutyl methacrylate, polyisobutyl methacrylate, polyhexyl methacrylate, polyisodecyl methacrylate, polylauryl methacrylate, polyphenyl methacrylate, polymethyl acrylate, polyisopropyl acrylate, polyisobutyl acrylate, polyoctadecyl acrylate, polyethylene, low density polyethylene, high density polyethylene, polypropylene, polyethylene glycol, polyethylene oxide, polyethylene terephthalate, polyvinyl alcohol, polyvinyl isobutyl ether, polyvinyl acetate and polyvinyl chloride.

Particularly suitable copolymers may be selected from the group comprising copolymers of butyl methacrylate and isobutyl methacrylate, copolymers of methyl vinyl ether and maleic acid with high molecular weight, copolymers of methyl vinyl ether and maleic acid monoethyl ester, copolymers of methyl vinyl ether and maleic anhydride and copolymers of vinyl alcohol and vinyl acetate.

Further materials which are particularly suitable for formulating the barrier layer are starch-filled polycaprolactone (WO98/20073), aliphatic polyesteramides (DE 19 753 534 A1, DE 19 800 698 A1, EP 0 820 698 A1), aliphatic and aromatic polyester urethanes (DE 19822979), polyhydroxyalkanoates, in particular polyhydroxybutyrate, polyhydroxyvalerate, casein (DE 4 309 528), polylactides and copolylactides (EP 0 980 894 A1). The disclosure of these references is expressly incorporated herein and made a part of this present application.

The above-stated materials may optionally be blended with further conventional auxiliary substances known to the person skilled in the art, preferably selected from the group comprising glyceryl monostearate, semi-synthetic triglyceride derivatives, semi-synthetic glycerides, hydrogenated castor oil, glyceryl palmitostearate, glyceryl behenate, polyvinyl-pyrrolidone, gelatine, magnesium stearate, stearic acid, sodium stearate, talcum, sodium benzoate, boric acid and colloidal silica, fatty acids, substituted triglycerides, glycerides, polyoxyalkylene glycols and the derivatives thereof.

If the dosage form according to the invention comprises a separation layer (Z'), said layer, like the uncovered subunit (Y), may preferably consist of the above-stated materials described for the barrier layer. The person skilled in the art will understand that release of the active ingredient or of

US 8,192,722 B2

25

component (c) and/or (d) from the particular subunit may be controlled by the thickness of the separation layer.

The dosage form according to the invention exhibits controlled release of the active ingredient. It is preferably suitable for twice daily administration to patients.

The release properties of the dosage form according to the invention are substantially independent from the pH value of the release medium, i.e. preferably the release profile in artificial intestinal juice substantially corresponds to the release profile in artificial gastric juice. Preferably, at any given time point the release profiles deviate from one another by not more than 20%, more preferably not more than 15%, still more preferably not more than 10%, yet more preferably not more than 7.5%, most preferably not more than 5.0% and in particular not more than 2.5%.

Preferably, the dosage form according to the invention exhibits a uniform release profile. Preferably, the release profile of the active substance with abuse potential (A) is inter-individually uniform (i.e. when comparing dosage forms obtained from the same process) and/or uniform within a single dosage form (i.e. when comparing segments of the same dosage form). Preferably, when comparing two probes each having a mass of preferably 500 mg, the total amount of the released active substance for any given time point of the measurement does not deviate by more than 20%, more preferably not more than 15%, still more preferably not more than 10%, yet more preferably not more than 7.5%, most preferably not more than 5.0% and in particular not more than 2.5%.

Preferably, the release profile of the dosage form according to the present invention is stable upon storage, preferably upon storage at elevated temperature, e.g. 37° C., for 3 month in sealed containers. In this regard "stable" means that when comparing the initial release profile with the release profile after storage, at any given time point the release profiles deviate from one another by not more than 20%, more preferably not more than 15%, still more preferably not more than 10%, yet more preferably not more than 7.5%, most preferably not more than 5.0% and in particular not more than 2.5%.

The dosage form according to the invention may comprise one or more active ingredients at least partially in controlled release form, wherein controlled release may be achieved with the assistance of conventional materials and methods known to the person skilled in the art, for example by embedding the active ingredient in a controlled release matrix or by the application of one or more controlled release coatings. Active ingredient release must, however, be controlled such that the above-stated conditions are fulfilled in each case, for example that, in the event of correct administration of the dosage form, the active ingredient or active ingredients are virtually completely released before the optionally present component (c) and/or (d) can exert an impairing effect. Addition of materials effecting controlled release must moreover not impair the necessary hardness.

Controlled release from the dosage form according to the invention is preferably achieved by embedding the active ingredient in a matrix. The auxiliary substances acting as matrix materials control active ingredient release. Matrix materials may, for example, be hydrophilic, gel-forming materials, from which active ingredient release proceeds mainly by diffusion, or hydrophobic materials, from which active ingredient release proceeds mainly by diffusion from the pores in the matrix.

Physiologically acceptable, hydrophobic materials which are known to the person skilled in the art may be used as matrix materials. Polymers, particularly preferably cellulose ethers, cellulose esters and/or acrylic resins are preferably used as hydrophilic matrix materials. Ethylcellulose, hydrox-

26

propylmethylcellulose, hydroxypropylcellulose, hydroxymethylcellulose, poly(meth)acrylic acid and/or the derivatives thereof, such as the salts, amides or esters thereof are very particularly preferably used as matrix materials.

Matrix materials prepared from hydrophobic materials, such as hydrophobic polymers, waxes, fats, long-chain fatty acids, fatty alcohols or corresponding esters or ethers or mixtures thereof are also preferred. Mono- or diglycerides of C12-C30 fatty acids and/or C12-C30 fatty alcohols and/or waxes or mixtures thereof are particularly preferably used as hydrophobic materials.

It is also possible to use mixtures of the above-stated hydrophilic and hydrophobic materials as matrix materials.

Component (C) and the optionally present component (D), which serve to achieve the breaking strength of at least 500 N which is necessary according to the invention may furthermore also optionally serve as additional matrix materials.

If the dosage form according to the invention is intended for oral administration, it may also preferably comprise a coating which is resistant to gastric juices and dissolves as a function of the pH value of the release environment. By means of this coating, it is possible to ensure that the dosage form according to the invention passes through the stomach undissolved and the active ingredient is only released in the intestines. The coating which is resistant to gastric juices preferably dissolves at a pH value of between 5 and 7.5.

Corresponding materials and methods for the controlled release of active ingredients and for the application of coatings which are resistant to gastric juices are known to the person skilled in the art, for example from "Coated Pharmaceutical Dosage Forms—Fundamentals, Manufacturing Techniques, Biopharmaceutical Aspects, Test Methods and Raw Materials" by Kurt H. Bauer, K. Lehmann, Hermann P. Osterwald, Rothgang, Gerhart, 1st edition, 1998, Medpharm Scientific Publishers. The disclosure of these references is expressly incorporated herein and made a part of this present application.

Method for Determining the Breaking Strength

In order to verify whether a polymer may be used as component (C) or (D), the polymer is pressed to form a tablet with a diameter of 10 mm and a height of 5 mm using a force of 150 N at a temperature which at least corresponds to the softening point of the polymer and is determined with the assistance of a DSC diagram of the polymer. Using tablets produced in this manner, breaking strength is determined with the apparatus described below in accordance with the method for determining the breaking strength of tablets published in the European Pharmacopoeia 1997, page 143-144, method no. 2.9.8. The apparatus used for the measurement is a "Zwick Z 2.5" materials tester, Fmax=2.5 kN with a maximum draw of 1150 mm, which should be set up with 1 column and 1 spindle, a clearance behind of 100 mm and a test speed adjustable between 0.1 and 800 mm/min together with testControl software. Measurement is performed using a pressure piston with screw-in inserts and a cylinder (diam. 10 mm), a force transducer, Fmax. 1 kN, diameter=8 mm, class 0.5 from 10 N, class 1 from 2 N to ISO 7500-1, with manufacturer's test certificate M to DIN 55350-18 (Zwick gross force Fmax=1.45 kN) (all apparatus from Zwick GmbH & Co. KG, Ulm, Germany) with order no. BTC-FR 2.5 TH. D09 for the tester, order no. BTC-LC 0050N. P01 for the force transducer, order no. BO 70000 S06 for the centering device.

FIG. 3 shows the measurement of the breaking strength of a tablet, in particular the tablet (4) adjustment device (6) used for this purpose before and during the measurement. To this end, the tablet (4) is held between the upper pressure plate (1) and the lower pressure plate (3) of the force application appa-

US 8,192,722 B2

27

ratus (not shown) with the assistance of two 2-part clamping devices, which are in each case firmly fastened (not shown) with the upper and lower pressure plate once the spacing (5) necessary for accommodating and centering the tablet to be measured has been established. The spacing (5) may be established by moving the 2-part clamping devices horizontally outwards or inwards in each case on the pressure plate on which they are mounted.

The tablets deemed to be resistant to breaking under a specific load include not only those which have not broken but also those which may have suffered plastic deformation under the action of the force.

In the case of the dosage forms according to the invention, breaking strength is determined in accordance with the stated method, dosage forms other than tablets also being tested.

The following Examples illustrate the invention purely by way of example and without restricting the general concept of the invention.

EXAMPLE 1

Components	Per tablet	Per batch
Tramadol HCl	100.0 mg	1495.0 g
Polyethylene oxide, NF, MW 7 000 000 (Polyox WSR 303, Dow Chemicals)	167.8 mg	2508.6 g
Hydroxypropylmethylcellulose 100 000 mPa · s	33.5 mg	500.8 g
Polyethylene glycol (PEG 6000)	33.5 mg	500.8 g
Butylhydroxytoluene (BHT)	0.2 mg	3.0 g
Total weight	335.0 mg	5008.2 g

The stated quantity of BHT was dissolved in ethanol (96%), such that a 7.7% (mass/mass) ethanolic solution was obtained. This was mixed initially with 150 g of polyethylene oxide in a high speed mixer for 30 minutes and then the remaining quantity of polyethylene oxide was added and stirring continued for a further 30 minutes. The composition was dried for 12 h at 40° C. All the further components were added and mixed for 15 min in a free-fall mixer. The powder mixture was apportioned into an extruder. Extrusion was performed using a model Micro 27 GL 40 D double screw extruder with a spindle diameter of 18 mm manufactured by Leistritz (Nürnberg). Screws with blunt ends were used, the hex socket at the end of the screws being closed with a cap. The die used is a heatable round die with a diameter of 8 mm. The entire process was performed under an N₂ atmosphere.

The following parameters were selected for extrusion:

Screw speed:	100 rpm
Throughput:	4 kg/h
Product temperature:	125° C.
Casing temperature:	120° C.

The extrudate, which was still hot, was cooled under a nitrogen atmosphere. The cooled strand was singulated into biplanar tablets. The tablets did not break when exposed to a force of 500 N. The tablets could not be comminuted either with a hammer or with the assistance of a mortar and pestle.

The color of the cooled strand or of the 10 tablets singulated therefrom was determined at N 9.5/using the Munsell Book of Color, such that the dosage form produced by the

28

process according to the invention did not exhibit any discoloration due to the thermoforming with the assistance of an extruder.

EXAMPLE 2

Components	Per Tablet	Per batch	
Oxycodon HCl	20.0 mg	410.1 g	13.7%
Polyethylene oxide 7 000 000 (Polyox WSR 303, Dow Chemicals)	107.2 mg	2199.3 g	73.2%
Polyethylene glycol (PEG 6000)	15.0 mg	307.8 g	10.3%
Hypromellose (Methocel 90 SH 100 000 cP, ShinEtsu)	3.8 mg	76.8 g	2.6%
α-Tocopherol	0.2 mg	3.0 g	0.1%
Aerosil (highly disperse SiO ₂)	0.2 mg	3.0 g	0.1%
	146.4 mg	3000.0 g	100%

50 g of the polyethylene oxide, 3 g α-tocopherol and 3 g Aerosil were mixed to a homogeneous mixture by means of a mortar. All the further components were added and mixed for 15 minutes in a free-fall mixer.

Extrusion was performed using a model Micro 27 PH 40 D twin screw extruder manufactured by Leistritz (Nürnberg). Screws having eccentric ends were used. The die used is a heatable round die having a diameter of 9 mm.

The following parameters were selected for extrusion:

Screw speed:	100 rpm
Throughput:	4 kg/h
Product temperature:	134° C.
Casing temperature:	heating zones 1 to 10: 100° C. heating zone 11 (die): 120° C.

The extrudate, which was still hot, was cooled. No nitrogen atmosphere was used. The product did not exhibit any yellowish discoloration.

The cooled strand was singulated into biplanar slices. The final press-forming was performed by means on an eccentric tablet press (model EK0). Oblong punches (width 5 mm, length 12 mm) were used as tableting tool. The respective tablets (mass and form) were punched from the slices and press-formed. One tablet was obtained from one slice.

The breaking strength of the tablets was determined with the stated apparatus in accordance with the stated method. The tablets did not crush when exposed to a force of 500 N. The tablet could not be comminuted with a hammer. This could not be achieved with the assistance of a pestle and mortar either.

In vitro release of the active ingredient from the preparation was determined in a paddle stirrer apparatus with sinker in accordance with Pharm. Eur. The temperature of the release medium was 37° C. and the rotational speed of the stirrer 75 min⁻¹. 600 ml of artificial intestinal juice, pH 6.8 were used as release medium. The released quantity of active ingredient present in the dissolution medium at each point in time was determined by spectrophotometry.

US 8,192,722 B2

29

Time	Amount Released
60 min	36%
240 min	79%
480 min	99%
720 min	107%

EXAMPLE 3

Components	Per Tablet	Per batch	%
Oxycodon HCl	20.0 mg	333.3 g	11.1
Polyethylene oxide 7 000 000 (Polyox WSR 303, DOW Chemicals)	122.6 mg	2060.7 g	68.7
Polyethylene glycol (PEG 6000)	18.0 mg	300.0 g	10.0
Hypromellose (Metholose 90 SH 100 000 cP, ShinEtsu)	18.0 mg	300.0 g	10.0
α -Tocopherol	0.2 mg	3.0 g	0.1
Aerosil (highly disperse SiO ₂)	0.2 mg	3.0 g	0.1
	180 mg	3000.0 g	100%

50 g of the polyethylene oxide, 3 g α -tocopherol and 3 g Aerosil were mixed to a homogeneous mixture by means of a mortar. All the further components were added and mixed for 15 minutes in a free-fall mixer.

Extrusion was performed using a model Micro 27 PH 40 D twin screw extruder manufactured by Leistritz (Nürnberg). Screws having eccentric ends were used. The die used is a heatable round die having a diameter of 9 mm.

The following parameters were selected for extrusion:

Screw speed:	100 rpm
Throughput:	4 kg/h
Product temperature:	134° C.
Casing temperature:	heating zones 1 to 10: 100° C. heating zone 11 (die): 120° C.

The extrudate, which was still hot, was cooled. No nitrogen atmosphere was used. The product did not exhibit any yellowish discoloration.

The cooled strand was singulated into biplanar slices. The final press-forming was performed by means on an eccentric tablet press (model EK0). Oblong punches (width 5 mm, length 12 mm) were used as tableting tool. The respective tablets (mass and form) were punched from the slices and press-formed. One tablet was obtained from one slice.

The breaking strength of the tablets was determined with the stated apparatus in accordance with the stated method. The tablets did not crush when exposed to a force of 500 N. The tablet could not be comminuted with a hammer. This could not be achieved with the assistance of a pestle and mortar either.

In vitro release of the active ingredient from the preparation was determined in a paddle stirrer apparatus with sinker in accordance with Pharm. Eur. The temperature of the release medium was 37° C. and the rotational speed of the stirrer 75 min⁻¹. 600 ml of artificial intestinal juice, pH 6.8 were used as release medium. The released quantity of active ingredient present in the dissolution medium at each point in time was determined by spectrophotometry.

30

Time	Amount released
60 min	33%
240 min	76%
480 min	100%
720 min	108%

EXAMPLE 4

Components	Per tablet	Per batch	%
Tramadol	116.5 mg	349.0 g	34.9
Polyethylene oxide 7 000 000 (Polyox WSR 303, DOW Chemicals)	150.2 mg	450.0 g	45.0
Polyethylene glycol (PEG 6000)	33.4 mg	100.0 g	10.0
Hypromellose (Metholose 90 SH 100 000 cP, ShinEtsu)	33.4 mg	100.0 g	10.0
Butylhydroxytoluene	0.3 mg	1.0 g	0.1
	333.8 mg	1000 g	100%

45 g of the polyethylene oxide and 1 g butylhydroxytoluene were mixed to a homogeneous mixture by means of a mortar. All the further components were added and mixed for 15 minutes in a free-fall mixer.

Extrusion was performed using a model Micro 27 PH 40 D twin screw extruder manufactured by Leistritz (Nürnberg). Screws having eccentric ends were used. The die used is a heatable round die having a diameter of 9 mm.

The following parameters were selected for extrusion:

Screw speed:	100 rpm
Throughput:	4 kg/h
Product temperature:	134° C.
Casing temperature:	heating zones 1 to 10: 100° C. heating zone 11 (die): 120° C.

The extrudate, which was still hot, was cooled. No nitrogen atmosphere was used. The product did not exhibit any yellowish discoloration.

The cooled strand was singulated into biplanar slices. The final press-forming was performed by means on an eccentric tablet press (model EK0). Round punches (diameter 10 mm) having a radius of curvature of 8 mm were used as tableting tool. One tablet was obtained from one slice.

The breaking strength of the tablets was determined with the stated apparatus in accordance with the stated method. The tablets did not crush when exposed to a force of 500 N. The tablet could not be comminuted with a hammer. This could not be achieved with the assistance of a pestle and mortar either.

EXAMPLE 5

Components	PerTablet	Per batch	%
Oxycodon HCl	40.00 mg	133.3 g	13.3
Polyethylene oxide 5 000 000 (Polyox WSR Coagulant, DOW Chemicals)	190.0 mg	643.3 g	63.3

US 8,192,722 B2

31

-continued

Components	PerTablet	Per batch	%
Polyethylene glycol (PEG 6000)	30.0 mg	100.0 g	10.0
Hypromellose (Methocel 90 SH 100 000 cP, ShinEtsu)	30.0 mg	100.0 g	10.0
α -Tocopherol	5.0 mg	16.7 g	1.7
Aerosil (highly disperse SiO ₂)	5.0 mg	16.7 g	1.7
	300 mg	1000 g	100

50 g of the polyethylene oxide, 5 g α -tocopherol and 5 g Aerosil were mixed to a homogeneous mixture by means of a mortar. All the further components were added and mixed for 15 minutes in a free-fall mixer.

Extrusion was performed using a model Micro 27 PH 40 D twin screw extruder manufactured by Leistritz (Nürnberg). Screws having eccentric ends were used. The die used is a heatable round die having a diameter of 9 mm.

The following parameters were selected for extrusion:

Screw speed:	100 rpm
Throughput:	4 kg/h
Product temperature:	134° C.
Casing temperature:	heating zones 1 to 10: 100° C. heating zone 11 (die): 120° C.

The extrudate, which was still hot, was cooled. No nitrogen atmosphere was used. The product exhibited a slight yellowish coloration. However, this coloration was merely caused by the natural color of α -tocopherol, but was not intensified by the extrusion, i.e. the extrusion was performed without discoloration.

The cooled strand was singulated into biplanar slices. The final press-forming was performed by means on an eccentric tablet press (model EK0). Round punches (diameter 10 mm) having a radius of curvature of 8 mm were used as tableting tool. One tablet was obtained from one slice.

The breaking strength of the tablets was determined with the stated apparatus in accordance with the stated method. The tablets did not crush when exposed to a force of 500 N. The tablet could not be comminuted with a hammer. This could not be achieved with the assistance of a pestle and mortar either.

In vitro release of the active ingredient from the preparation was determined in a paddle stirrer apparatus with sinker in accordance with Pharm. Eur. The temperature of the release medium was 37° C. and the rotational speed of the stirrer 75 min⁻¹. 600 ml of artificial intestinal juice, pH 6.8 were used as release medium. The released quantity of active ingredient present in the dissolution medium at each point in time was determined by spectrophotometry.

Time	Amount released
60 min	33%
240 min	76%
480 min	100%
720 min	108%

The invention claimed is:

1. An abuse-proofed dosage form thermoformed by extrusion without discoloration comprising one or more active ingredients with abuse potential (A), optionally physiologically acceptable auxiliary substances (B), at least one syn-

32

thetic or natural polymer (C) and optionally at least one wax (D), wherein the dosage form exhibits a breaking strength of at least 500 N, the one or more active ingredients with abuse potential (A) are selected from the group consisting of oxymorphone and physiologically acceptable compounds and derivatives thereof, and the polymer (C) comprises polyethylene oxide having a molecular weight of at least 0.5 million g/mol.

2. The dosage form according to claim 1, which is in the form of a tablet.

3. The dosage form according to claim 1, wherein the molecular weight of the polyethylene oxide (C) is at least 1 million g/mol.

4. The dosage form according to claim 3, wherein the molecular weight of the polyethylene oxide is in the range of from about 1 to about 15 million g/mol.

5. The dosage form according to claim 1, which comprises the wax (D), and the wax (D) is at least one natural, semi-synthetic or synthetic wax with a softening point of at least 60° C.

6. The dosage form according to claim 5, wherein the wax (D) is carnauba wax or beeswax.

7. The dosage form according to claim 1, which additionally comprises:

(a) at least one substance which irritates the nasal passages and/or pharynx; and/or

(b) at least one viscosity-increasing agent, which in the presence of an active ingredient extracted from the dosage form using a liquid medium, forms a gel with the extract obtained from the dosage form, which gel optionally remains visually distinguishable when introduced into a further quantity of an aqueous liquid; and/or

(c) at least one antagonist for the active ingredient or active ingredients with abuse potential; and/or

(d) at least one emetic; and/or

(e) at least one dye; and/or

(f) at least one bitter substance.

8. The dosage form according to claim 7, wherein component (b) is at least one viscosity-increasing agent selected from the group consisting of microcrystalline cellulose combined with carboxymethylcellulose sodium, polyacrylic acid, locust bean flour, pectins, waxy maize starch, sodium alginate, guar flour, iota carrageenan, karaya gum, gellan gum, galactomannan, tara bean flour, propylene glycol alginate, apple pectin, sodium hyaluronate, tragacanth, tara gum, fermented polysaccharide welan gum, and xanthan gum.

9. The dosage form according to claim 1, which comprises at least one active ingredient with abuse potential (A) at least partially in controlled release form.

10. The dosage form according to claim 9, wherein each of the active ingredients with abuse potential (A) is present in a controlled release matrix.

11. The dosage form according to claim 10, wherein the controlled release matrix material comprises component (C) and/or the optionally present component (D).

12. The dosage form according to claim 1, which comprises a core and a tubular domain surrounding the core, wherein said tubular domain has a morphology different from that of the core.

13. The dosage form according to claim 12, wherein the core and the tubular domain have substantially the same chemical composition.

14. The dosage form according to claim 12, wherein the tubular domain does not completely cover the core.

US 8,192,722 B2

33

15. The dosage form according to claim 1, which comprises a physiologically acceptable auxiliary substance (B), and the physiologically acceptable auxiliary substance (B) is an antioxidant.

16. The dosage form according to claim 15, wherein the antioxidant is selected from the group consisting of ascorbic acid, salts of ascorbic acid, butylhydroxyanisole, butylhydroxytoluene, monothioglycerol, phosphorous acid, vitamin C, vitamin E and the derivatives thereof, sodium bisulfite and α -tocopherol.

17. A process for the production of a dosage form according to claim 1, comprising:

- I) mixing components (A), the optionally present component (B), (C) and the optionally present component (D);
- II) heating the resultant mixture in the extruder at least up to the softening point of component (C) and extruding the mixture as extrudate through the outlet orifice of the extruder by application of force; and
- III) singulating and forming the still plastic extrudate into the dosage form; or
- IV) cooling and forming the optionally reheated singulated extrudate into the dosage form.

18. The process according to claim 17, wherein process step II) is performed by means of a twin-screw-extruder.

19. The process according to claim 17, wherein process steps II) and III) and optionally process steps I) and IV) are performed under an inert gas atmosphere.

34

20. The process according to claim 19, wherein nitrogen is used as the inert gas atmosphere.

21. The process according to claim 17, wherein mixing of the components according to process step I) proceeds in the extruder under an inert gas atmosphere.

22. The process according to claim 17, wherein the mixture according to process step I) is extruded through a die with at least one bore.

23. The process according to claim 17, wherein the extrudate is singulated by cutting.

24. The process according to claim 17, wherein the extrudate is in the form of a strand and is shaped and singulated with the assistance of counter rotating calender rolls comprising opposing recesses in their outer sleeve.

25. The process according to claim 17, wherein the singulated extrudate is pelletized or pressed into tablets.

26. The process according to claim 17, wherein swelling and expansion of the dosage form upon storage is suppressed by press forming the singulated extrudate at a pressure of at least 1 kN and a temperature of between 25° C. and 40° C. below the melting range of the mixture of the components.

27. A dosage form according to claim 1, wherein the physiologically acceptable compounds and derivatives are salts, solvates, esters, ethers and amides.

* * * * *

EXHIBIT E

US008309060B2

(12) **United States Patent**
Bartholomaus et al.(10) **Patent No.:** **US 8,309,060 B2**
(45) **Date of Patent:** ***Nov. 13, 2012**(54) **ABUSE-PROOFED DOSAGE FORM**(75) Inventors: **Johannes Bartholomaus**, Aachen (DE);
Heinrich Kugelmann, Aachen (DE);
Elisabeth Arkenau-Marić, Köln (DE)(73) Assignee: **Grunenthal GmbH**, Aachen (DE)(*) Notice: Subject to any disclaimer, the term of this
patent is extended or adjusted under 35
U.S.C. 154(b) by 0 days.This patent is subject to a terminal dis-
claimer.(21) Appl. No.: **13/346,257**(22) Filed: **Jan. 9, 2012**(65) **Prior Publication Data**

US 2012/0107250 A1 May 3, 2012

Related U.S. Application Data(62) Division of application No. 10/718,112, filed on Nov.
20, 2003, now Pat. No. 8,114,383.(30) **Foreign Application Priority Data**

Aug. 6, 2003 (DE) 103 36 400

(51) **Int. Cl.**
A61K 49/00 (2006.01)(52) **U.S. Cl.** **424/10.1; 424/10.4**(58) **Field of Classification Search** 424/10.1
See application file for complete search history.(56) **References Cited****U.S. PATENT DOCUMENTS**

3,806,603 A 4/1974 Gaunt et al.
 3,865,108 A 2/1975 Hartop
 3,966,747 A 6/1976 Monkovic et al.
 3,980,766 A 9/1976 Shaw et al.
 4,002,173 A 1/1977 Manning et al.
 4,014,965 A 3/1977 Stube et al.
 4,070,494 A 1/1978 Hoffmeister et al.
 4,070,497 A 1/1978 Wismer et al.
 4,175,119 A 11/1979 Porter
 4,200,704 A 4/1980 Stanley et al.
 4,207,893 A 6/1980 Michaels
 4,262,017 A 4/1981 Kuipers
 4,343,789 A 8/1982 Kawata et al.
 4,353,887 A 10/1982 Hess
 4,404,183 A 9/1983 Kawata et al.
 4,427,681 A 1/1984 Munshi et al.
 4,462,941 A 7/1984 Lee et al.
 4,603,143 A 7/1986 Schmidt
 4,612,008 A 9/1986 Wong et al.
 4,629,621 A 12/1986 Snipes
 4,690,822 A 9/1987 Uemura
 4,713,243 A 12/1987 Schiraldi et al.
 4,744,976 A 5/1988 Snipes et al.
 4,764,378 A 8/1988 Keitn et al.
 4,765,989 A 8/1988 Wong et al.
 4,774,074 A 9/1988 Snipes
 4,774,092 A 9/1988 Hamilton
 4,783,337 A 11/1988 Wong et al.
 4,806,337 A 2/1989 Snipes et al.
 RE33,093 E 10/1989 Schiraldi et al.
 4,880,585 A 11/1989 Klimesch et al.
 4,892,778 A 1/1990 Theeuwes et al.

4,892,889 A 1/1990 Kirk
 4,940,556 A 7/1990 MacFarlane et al.
 4,957,668 A 9/1990 Placard
 4,957,681 A 9/1990 Klimesch et al.
 4,960,814 A 10/1990 Wu et al.
 4,992,278 A 2/1991 Khanna
 4,992,279 A 2/1991 Palmer et al.
 5,004,601 A 4/1991 Snipes
 5,051,261 A 9/1991 McGinty
 5,139,790 A 8/1992 Snipes
 5,169,645 A 12/1992 Shukla et al.
 5,198,226 A 3/1993 MacFarlane et al.
 5,200,197 A 4/1993 Wright et al.
 5,211,892 A 5/1993 Gueret
 5,273,758 A 12/1993 Royce
 5,350,741 A 9/1994 Takada
 5,378,462 A 1/1995 Boedecker et al.
 5,427,798 A 6/1995 Ludwig et al.
 RE34,990 E 7/1995 Khanna et al.
 5,458,887 A 10/1995 Chen et al.
 5,460,826 A 10/1995 Merrill et al.
 5,508,042 A 4/1996 Oshlack et al.
 5,556,640 A 9/1996 Ito et al.
 5,562,920 A 10/1996 Demmer et al.
 5,593,694 A 1/1997 Hayashida et al.
 5,601,842 A 2/1997 Bartholomaeus

(Continued)

FOREIGN PATENT DOCUMENTSAR 46994 12/2004
(Continued)**OTHER PUBLICATIONS**

Herbert A. Lieberman, *Pharmaceutical Dosage Forms, Tablets, Second Edition, Revised and Expanded*, 1990. Ravin, Louis. *Preformulation*. Chapter 76. In Remington's *Pharmaceutical Sciences*, 17th Ed, 1985.
 Disanto, Anthony. *Bioavailability and Bioequivalency Testing*. Chapter 77. In Remington's *Pharmaceutical Sciences*, 17th Ed, 1985.
 Knevel, Adelbert. *Separation*. Chapter 78. In Remington's *Pharmaceutical Sciences*, 17th Ed, 1985.
 Phillips, G. Briggs. *Sterilization*. Chapter 79. In Remington's *Pharmaceutical Sciences*, 17th Ed, 1985.
 Siegel, Frederick. *Tonicity, Osmoticity, Osmolality, and Osmolarity*. Chapter 80. In Remington's *Pharmaceutical Sciences*, 17th Ed, 1985.
 Giles et al. *Plastic Packaging Materials*. Chapter 81. In Remington's *Pharmaceutical Sciences*, 17th Ed, 1985.
 Lintner, Carl. *Stability of Pharmaceutical Products*. Chapter 82. In Remington's *Pharmaceutical Sciences*, 17th Ed, 1985.
 Erskine, Jr., Clyde. *Quality Assurance and Control*. Chapter 83. In Remington's *Pharmaceutical Sciences*, 17th Ed, 1985.
 Nairn, J.G., *Solutions, Emulsion, Suspensions and Extractives*. Chapter 84. In Remington's *Pharmaceutical Sciences*, 17th Ed, 1985.
 Avis, Kenneth. *Parenteral Preparations*. Chapter 85. In Remington's *Pharmaceutical Sciences*, 17th Ed, 1985.
 Turco et al. *Intravenous Admixtures*. Chapter 86. In Remington's *Pharmaceutical Sciences*, 17th Ed, 1985.

(Continued)

Primary Examiner — Michael G Hartley*Assistant Examiner* — Melissa Perreira(74) *Attorney, Agent, or Firm* — Norris McLaughlin & Marcus, P.A.(57) **ABSTRACT**

An abuse-proofed, thermoformed dosage form containing, in addition to one or more active ingredients with abuse potential optionally together with physiologically acceptable auxiliary substances, at least one synthetic or natural polymer with a breaking strength of at least 500 N and to a process for the production thereof.

34 Claims, No Drawings

US 8,309,060 B2

Page 2

U.S. PATENT DOCUMENTS				
5,620,697 A	4/1997	Tormala et al.	2002/0015730 A1	2/2002 Hoffmann et al.
5,681,517 A	10/1997	Metzger	2002/0018719 A1	2/2002 Arilla et al.
5,741,519 A	4/1998	Rosenberg et al.	2002/0051820 A1	5/2002 Shell et al.
5,792,474 A	8/1998	Rauchfuss	2002/0114838 A1	8/2002 Ayer et al.
5,801,201 A	9/1998	Gradums et al.	2002/0132359 A1	9/2002 Waterman
5,811,126 A	9/1998	Krishanamurthy	2002/0176888 A1	11/2002 Bartholomaeus et al.
5,849,240 A	12/1998	Miller et al.	2002/0192277 A1	12/2002 Oshlack et al.
5,866,164 A	2/1999	Kuczynski et al.	2003/0008409 A1	1/2003 Spearman et al.
5,908,850 A	6/1999	Zeitlin et al.	2003/0015814 A1	1/2003 Krull et al.
5,916,584 A	6/1999	O'Donoghue et al.	2003/0017532 A1	1/2003 Biswas et al.
5,928,739 A	7/1999	Pophusen et al.	2003/0021546 A1	1/2003 Sato
5,939,099 A	8/1999	Grabowski et al.	2003/0031546 A1	2/2003 Araki et al.
5,945,125 A	8/1999	Kim	2003/0044458 A1	3/2003 Wright et al.
5,948,787 A	9/1999	Merill et al.	2003/0044464 A1	3/2003 Ziegler et al.
5,968,925 A	10/1999	Knidlberger	2003/0064099 A1	4/2003 Oshlack et al.
6,001,391 A	12/1999	Zeidler et al.	2003/0068276 A1	4/2003 Hughes et al.
6,009,390 A	12/1999	Gupta et al.	2003/0068370 A1	4/2003 Sackler
6,009,690 A	1/2000	Rosenberg et al.	2003/0068371 A1	4/2003 Oshlack et al.
6,077,538 A	6/2000	Merrill et al.	2003/0068392 A1	4/2003 Sackler
6,096,339 A	8/2000	Ayer et al.	2003/0069263 A1	4/2003 Breder et al.
6,117,453 A	9/2000	Seth et al.	2003/0091630 A1	5/2003 Louie-Helm et al.
6,120,802 A	9/2000	Breitenbach et al.	2003/0104052 A1	6/2003 Berner et al.
6,133,241 A	10/2000	Bok et al.	2003/0104053 A1	6/2003 Gusler et al.
6,228,863 B1	5/2001	Palermo et al.	2003/0118641 A1	6/2003 Maloney et al.
6,235,825 B1	5/2001	Yoshida et al.	2003/0124185 A1	7/2003 Oshlack et al.
6,238,697 B1	5/2001	Kumar et al.	2003/0125347 A1	7/2003 Anderson et al.
6,245,357 B1	6/2001	Edgren et al.	2003/0133985 A1	7/2003 Louie-Helm et al.
6,248,737 B1	6/2001	Buschmann et al.	2003/0152622 A1	8/2003 Louie-Helm et al.
6,261,599 B1	7/2001	Oshlack	2003/0158242 A1	8/2003 Kugelmann
6,290,990 B1	9/2001	Grabowski et al.	2003/0175326 A1	9/2003 Thombre
6,306,438 B1	10/2001	Oshlack et al.	2003/0232895 A1	12/2003 Omidian et al.
6,309,668 B1	10/2001	Bastin et al.	2004/0010000 A1	1/2004 Ayer et al.
6,318,650 B1	11/2001	Breitenbach et al.	2004/0011806 A1	1/2004 Luciano et al.
6,340,475 B2	1/2002	Shell et al.	2004/0052731 A1	3/2004 Hirsh et al.
6,344,535 B1	2/2002	Timmermann et al.	2004/0052844 A1	3/2004 Hsiao et al.
6,348,469 B1	2/2002	Seth	2004/0081694 A1	4/2004 Oshlack
6,355,656 B1	3/2002	Zeitlin et al.	2004/0091528 A1	5/2004 Rogers et al.
6,375,957 B1	4/2002	Kaiko et al.	2004/0126428 A1	7/2004 Hughes et al.
6,375,963 B1	4/2002	Repka et al.	2004/0131671 A1	7/2004 Zhang et al.
6,399,100 B1	6/2002	Clancy et al.	2004/0156899 A1	8/2004 Louie-Helm et al.
6,419,954 B1	7/2002	Chu et al.	2004/0170567 A1	9/2004 Sackler
6,436,441 B1	8/2002	Sako et al.	2004/0185105 A1	9/2004 Berner et al.
6,461,644 B1	10/2002	Jackson et al.	2004/0213848 A1	10/2004 Li et al.
6,488,939 B1	12/2002	Zeidler et al.	2005/0015730 A1	1/2005 Gunturi et al.
6,488,962 B1	12/2002	Berner et al.	2005/0031546 A1	2/2005 Bartholomaeus et al.
6,488,963 B1	12/2002	McGinity et al.	2005/0058706 A1	3/2005 Bartholomaeus et al.
6,534,089 B1	3/2003	Ayer et al.	2005/0063214 A1	3/2005 Takashima
6,547,997 B1	4/2003	Breitenbach et al.	2005/0089475 A1	4/2005 Gruber
6,562,375 B1	5/2003	Sako et al.	2005/0095291 A1	5/2005 Oshlack et al.
6,569,506 B1	5/2003	Jerde et al.	2005/0106249 A1	5/2005 Hwang et al.
6,592,901 B2	7/2003	Durig et al.	2005/0112067 A1	5/2005 Kumar et al.
6,635,280 B2	10/2003	Shell et al.	2005/0127555 A1	6/2005 Gusik et al.
6,699,503 B1	3/2004	Sako et al.	2005/0152843 A1	7/2005 Bartholomaeus et al.
6,723,340 B2	4/2004	Gusler et al.	2005/0186139 A1	8/2005 Bartholomaeus et al.
6,723,343 B2	4/2004	Kugelmann	2005/0191244 A1	9/2005 Bartholomaeus et al.
6,733,783 B2	5/2004	Oshlack et al.	2005/0191340 A1	9/2005 Bartholomaeus et al.
6,753,009 B2	6/2004	Luber et al.	2005/0192333 A1	9/2005 Hinze et al.
6,821,588 B1	11/2004	Hammer et al.	2005/0214223 A1	9/2005 Bartholomaeus et al.
7,074,430 B2	7/2006	Miller et al.	2005/0222188 A1	10/2005 Chapman et al.
7,129,248 B2	10/2006	Chapman et al.	2005/0236741 A1	10/2005 Arkenau et al.
7,141,250 B2	11/2006	Oshlack et al.	2005/0245556 A1	11/2005 Brogmann et al.
7,157,103 B2	1/2007	Sackler	2005/0266084 A1	12/2005 Li et al.
7,176,251 B1	2/2007	Bastioli et al.	2006/0002859 A1	1/2006 Arkenau et al.
7,201,920 B2	4/2007	Kumar et al.	2006/0002860 A1	1/2006 Bartholomaeus et al.
7,214,385 B2	5/2007	Gruber	2006/0004034 A1	1/2006 Hinze et al.
7,399,488 B2	7/2008	Hirsh et al.	2006/0039864 A1	2/2006 Bartholomaeus et al.
7,674,799 B2	3/2010	Chapman et al.	2006/0099250 A1	5/2006 Tian et al.
7,674,800 B2	3/2010	Chapman et al.	2006/0188447 A1	8/2006 Arkenau-Maric et al.
7,683,072 B2	3/2010	Chapman et al.	2006/0193782 A1	8/2006 Bartholomaeus et al.
7,776,314 B2	8/2010	Bartholomaeus et al.	2006/0193914 A1	8/2006 Ashworth et al.
7,851,482 B2	12/2010	Dung et al.	2006/0240110 A1	10/2006 Kiick et al.
7,939,543 B2	5/2011	Kupper	2007/0003616 A1	1/2007 Arkenau-Maric et al.
8,075,872 B2	12/2011	Arkenau-Maric et al.	2007/0020188 A1	1/2007 Sackler
8,114,383 B2 *	2/2012	Bartholomaeus et al. 424/10.1	2007/0020335 A1	1/2007 Chen et al.
8,192,722 B2	6/2012	Arkenau-Maric et al.	2007/0048228 A1	3/2007 Arkenau-Maric et al.
2001/0038852 A1	11/2001	Kolter et al.	2007/0065365 A1	3/2007 Kugelmann et al.
2002/0001270 A1	1/2002	Fukuchi et al.	2007/0092573 A1	4/2007 Joshi et al.
2002/0012701 A1	1/2002	Kolter et al.	2007/0183979 A1	8/2007 Arkenau-Maric et al.
			2007/0183980 A1	8/2007 Arkenau-Maric et al.

US 8,309,060 B2

Page 3

2007/0190142	A1	8/2007	Breitenbach et al.	CA	2713128	7/2009
2007/0196396	A1	8/2007	Pilgaonkar et al.	CA	2723438	11/2009
2007/0196481	A1	8/2007	Amidon et al.	CH	689109	10/1998
2007/0224129	A1	9/2007	Guimberteau et al.	CL	20162004	5/2005
2007/0264327	A1	11/2007	Kumar et al.	CL	20172004	A1 5/2005
2007/0269505	A1	11/2007	Flath et al.	CL	200403308	A1 9/2005
2008/0023452	A1	1/2008	Greik et al.	CL	200500952	11/2005
2008/0069871	A1	3/2008	Vaughn et al.	CL	200501624	12/2005
2008/0081290	A1	4/2008	Wada et al.	CL	200501625	6/2006
2008/0234352	A1	9/2008	Fischer et al.	CN	87102755	A 10/1987
2008/0247959	A1	10/2008	Bartholomaus et al.	CN	1980643	4/2005
2008/0248113	A1	10/2008	Bartholomaus et al.	CN	101010071	6/2005
2008/0311049	A1	12/2008	Arkenau-Maric et al.	CN	101022787	1/2006
2008/0311187	A1	12/2008	Ashworth et al.	CN	001863513	11/2006
2008/0311197	A1	12/2008	Arkenau-Maric et al.	CN	001863514	11/2006
2008/0311205	A1	12/2008	Habib et al.	CN	01917862	2/2007
2008/0312264	A1	12/2008	Arkenau-Maric et al.	CN	101027044	8/2007
2008/0317854	A1	12/2008	Arkenau et al.	CN	101111232	1/2008
2009/0004267	A1	1/2009	Arkenau-Maric et al.	CN	101175482	2/2008
2009/0005408	A1	1/2009	Arkenau-Maric et al.	DE	2530563	1/1977
2009/0017121	A1	1/2009	Berner et al.	DE	4229085	A1 3/1994
2009/0081290	A1	3/2009	KcKenna et al.	DE	4309528	9/1994
2009/0202634	A1	8/2009	Jans et al.	DE	4446470	A1 6/1996
2010/0015223	A1	1/2010	Cailly-Deufestel et al.	DE	69400215	10/1996
2010/0092553	A1	4/2010	Guimberteau et al.	DE	19522899	C1 12/1996
2010/0098758	A1	4/2010	Bartholomaus et al.	DE	2808505	1/1997
2010/0151028	A1	6/2010	Ashworth et al.	DE	19753534	6/1999
2010/0203129	A1	8/2010	Anderson et al.	DE	19800689	7/1999
2010/0221322	A1	9/2010	Bartholomaus et al.	DE	19800698	7/1999
2010/0260833	A1	10/2010	Bartholomaus et al.	DE	19822979	12/1999
2011/0020451	A1	1/2011	Bartholomaus et al.	DE	69229881	12/1999
2011/0020454	A1	1/2011	Lamarca Casado	DE	19855440	6/2000
2011/0038930	A1	2/2011	Barnscheid et al.	DE	19856147	6/2000
2011/0082214	A1	4/2011	Faure et al.	DE	19940740	3/2001
2011/0097404	A1	4/2011	Oshlack et al.	DE	19960494	6/2001
2011/0159100	A1	6/2011	Anderson et al.	DE	10036400	6/2002
2011/0187017	A1	8/2011	Haupts	DE	69429710	8/2002
2012/0034171	A1	2/2012	Arkenau-Maric et al.	DE	10250083	12/2003
2012/0059065	A1	3/2012	Barnscheid et al.	DE	10250084	5/2004
2012/0065220	A1	3/2012	Barnscheid et al.	DE	10250087	5/2004
2012/0107250	A1	5/2012	Bartholomaus et al.	DE	10250088	5/2004
2012/0135071	A1	5/2012	Bartholomaus et al.	DE	10336400	3/2005
2012/0136021	A1	5/2012	Barnscheid et al.	DE	10 361 596	9/2005
FOREIGN PATENT DOCUMENTS				DE	10 2004 020 220	11/2005
AR	045353	10/2005		DE	102004019916	11/2005
AR	049562	8/2006		DE	102004020220	11/2005
AR	053304	5/2007		DE	10 2004 032049	1/2006
AR	054222	6/2007		DE	10 2004 032051	1/2006
AR	054328	6/2007		DE	10 2004 032103	1/2006
AU	2003237944	12/2003		DE	10 2005 005446	8/2006
AU	2003274071	5/2004		DE	10 2005 005449	8/2006
AU	2003278133	5/2004		DE	102007011485	9/2008
AU	2003279317	5/2004		DK	1658055	7/2007
AU	2004264666	2/2005		DK	1658054	10/2007
AU	2004264667	2/2005		DK	1515702	1/2009
AU	2004308653	4/2005		EC	SP066345	8/2006
AU	2005259476	1/2006		EP	0008131	2/1980
AU	2005259478	1/2006		EP	0216453	2/1980
AU	2006210145	8/2006		EP	0043254	1/1982
AU	2009207796	7/2009		EP	0177893	4/1986
AU	2009243681	11/2009		EP	0226061	6/1987
BR	P10413318	10/2006		EP	0228417	7/1987
BR	P10413361	10/2006		EP	0229652	7/1987
BR	P10513300	5/2008		EP	0232877	8/1987
BR	P10606145	2/2009		EP	0240906	10/1987
CA	722109	A 11/1965		EP	0261616	3/1988
CA	2082573	5/1993		EP	0270954	6/1988
CA	2317747	7/1999		EP	0277289	8/1988
CA	2352874	6/2000		EP	0293066	11/1988
CA	2502965	5/2004		EP	0328775	8/1989
CA	2534925	2/2005		EP	0477135	3/1992
CA	2534932	2/2005		EP	0544144	6/1993
CA	2551231	7/2005		EP	0583726	2/1994
CA	2572352	1/2006		EP	0598606	5/1994
CA	2572491	1/2006		EP	0636370	2/1995
CA	2595954	7/2006		EP	0641195	3/1995
CA	2229650	C 8/2006		EP	0647448	4/1995
CA	2595979	8/2006		EP	0654263	A1 5/1995
				EP	0661045	7/1995

US 8,309,060 B2

Page 4

EP	0675710	10/1995	PT	1658054	5/2006
EP	0682945	11/1995	PT	1658055	7/2007
EP	0693475	1/1996	PT	1515702	12/2008
EP	0820693	1/1996	RU	2131244	6/1999
EP	0696598	2/1996	RU	2396944 C2	7/2004
EP	0756480	2/1997	RU	2354357	12/2007
EP	0760654	3/1997	RU	2007103712	9/2008
EP	0780369	6/1997	RU	2007103707	11/2008
EP	0785775	7/1997	RU	2007132975	4/2009
EP	0 761 211 A1	12/1997	SI	1515702	4/2009
EP	0809488	12/1997	SI	1699440	11/2009
EP	0820698	1/1998	WO	8000841	5/1980
EP	0857062	8/1998	WO	89/05624	6/1989
EP	0864324	9/1998	WO	90/03776	4/1990
EP	0864326	9/1998	WO	93/06723	4/1993
EP	0980894	2/2000	WO	93/10758	6/1993
EP	0988106	3/2000	WO	93/11749	6/1993
EP	1014941	7/2000	WO	93/23017	11/1993
EP	1070504	1/2001	WO	93 23017	11/1993
EP	1127871	8/2001	WO	94/06414	3/1994
EP	1138321	10/2001	WO	94/08567	4/1994
EP	1166776	1/2002	WO	95/17174	6/1995
EP	1250045	10/2002	WO	95/20947	8/1995
EP	1251120	10/2002	WO	95/22319	8/1995
EP	1293127	3/2003	WO	95/30422	11/1995
EP	1293196	3/2003	WO	96/00066	1/1996
EP	1658055	2/2005	WO	96/03979	2/1996
EP	1515702	3/2005	WO	96/14058	5/1996
EP	1527775	4/2005	WO	97/33566	9/1997
EP	1558221	8/2005	WO	9749384	12/1997
EP	1558257	8/2005	WO	9835655 A3	2/1998
EP	1560585	8/2005	WO	98/20073	5/1998
EP	1658054	5/2006	WO	98/28698	7/1998
EP	1740161	1/2007	WO	98/35655	8/1998
EP	1658055 B1	3/2007	WO	99/12864	3/1999
EP	1765303	3/2007	WO	99/32120	7/1999
EP	1786403	5/2007	WO	99/44591	9/1999
EP	1558221 B1	6/2007	WO	99/48481	9/1999
EP	1658054 B1	6/2007	WO	00/33835	6/2000
EP	1842533 A2	10/2007	WO	00/40205	7/2000
EP	1845955	10/2007	WO	01/08661	2/2001
EP	1845956	10/2007	WO	01/12230	2/2001
EP	1859789	11/2007	WO	01/15667	3/2001
EP	1492506 B1	12/2008	WO	01/52651	7/2001
EP	1897545	12/2008	WO	01/97783	12/2001
EP	2131830	12/2009	WO	02/26061	4/2002
EP	2249811	11/2010	WO	02/26262	4/2002
EP	2273983	1/2011	WO	02/26928	4/2002
ES	2336571	12/2004	WO	0235991 A2	5/2002
ES	2260042	11/2006	WO	02/088217	11/2002
ES	2285497	11/2007	WO	03/006723	1/2003
ES	2288621	1/2008	WO	03/013476	2/2003
ES	2289542	2/2008	WO	03/013479	2/2003
ES	2315505	4/2009	WO	03/015531	2/2003
GB	1147210	4/1969	WO	03/024430	3/2003
GB	156727	5/1980	WO	03024426 A1	3/2003
GB	1567727	5/1980	WO	03/026624	4/2003
GB	2057878	4/1981	WO	03/026743	4/2003
GB	19522899	12/1996	WO	03/028698	4/2003
HR	P20070272	6/2007	WO	03/028990	4/2003
HR	20070456	11/2007	WO	03/031546	4/2003
JP	3 0501737	4/1991	WO	03/035029	5/2003
JP	8 505076	6/1996	WO	03/035053	5/2003
JP	2002 275175	9/2002	WO	03/035054	5/2003
JP	2005534664	11/2005	WO	03/035177	5/2003
KR	1020060069832	6/2006	WO	03/053417	7/2003
KR	20070039041	4/2007	WO	03/068392	8/2003
KR	20070111510	11/2007	WO	03/092648	11/2003
KR	20100111303	10/2010	WO	03/094812	11/2003
KR	20110016921	2/2011	WO	03/105808	12/2003
MX	20070000008	3/2007	WO	2004/004693	1/2004
MX	20070000009	3/2007	WO	2004/043967	2/2004
MX	2007009393	8/2007	WO	2004/026262	4/2004
MX	2010008138	8/2010	WO	2004/026263	4/2004
MX	2010012039	11/2010	WO	2004/037230	5/2004
NO	20061054	3/2006	WO	2004/037259	5/2004
NO	20070578	1/2007	WO	2004/037260	5/2004
NO	20074412	11/2007	WO	2004/066910	8/2004
PT	1699440	12/2004	WO	2004/084869	10/2004

US 8,309,060 B2

Page 5

WO	2004/093801	11/2004
WO	2004/093819	11/2004
WO	2004/100894	11/2004
WO	2005/016313	2/2005
WO	2005/016314	2/2005
WO	2005/032524	4/2005
WO	2005/041968	5/2005
WO	2005/053656	6/2005
WO	2005/055981	6/2005
WO	2005/053587	6/2005
WO	2005/063214	7/2005
WO	2005/065646	7/2005
WO	2005/066183	7/2005
WO	2005/102286	11/2005
WO	2006/002883	1/2006
WO	2006/002884	1/2006
WO	2006/002886	1/2006
WO	2005102294	5/2006
WO	2006058249 A2	6/2006
WO	2006/082097	8/2006
WO	2006/082099	8/2006
WO	2007/005716	1/2007
WO	2007/008752	1/2007
WO	2007/048233	5/2007
WO	2007/053698	5/2007
WO	2007/085024	7/2007
WO	2007085024 A3	7/2007
WO	2007 103286	9/2007
WO	2007103105 A2	9/2007
WO	2007/112285	10/2007
WO	2007112273 A2	10/2007
WO	2008033523 A1	3/2008
WO	2008/086804	7/2008
WO	2008/107149	9/2008
WO	2008107149 A3	9/2008
WO	2008/148798	12/2008
WO	2009/003776	1/2009
WO	2009/092601	7/2009
WO	2009092601	7/2009
WO	2009112273 A2	9/2009
WO	2009/135680	11/2009
WO	2009135680	11/2009
WO	2010140007 A2	12/2010
WO	2010140007 A9	12/2010
WO	2011009602	1/2011
WO	2011009603	1/2011
WO	2011009604	1/2011
WO	2011095314 A3	8/2011
WO	2012028317 A1	3/2012
WO	2012028318	3/2012

OTHER PUBLICATIONS

- Mullins, John. Ophthalmic Preparations. Chapter 87. In Remington's Pharmaceutical Sciences, 17th Ed, 1985.
- Block, Lawrence. Medicated Applications. Chapter 88. In Remington's Pharmaceutical Sciences, 17th Ed, 1985.
- Rippie, Edward. Powders. Chapter 89. In Remington's Pharmaceutical Sciences, 17th Ed, 1985.
- King et al. Oral Solid Dosage Forms. Chapter 90. In Remington's Pharmaceutical Sciences, 17th Ed, 1985.
- Porter, Stuart. Coating of Pharmaceutical Dosage Forms. Chapter 91. In Remington's Pharmaceutical Sciences, 17th Ed, 1985.
- Longer et al. Sustained-Release Drug Delivery Systems. Chapter 92. In Remington's Pharmaceutical Sciences, 17th Ed, 1985.
- Sciara et al. Aerosols. Chapter 93. In Remington's Pharmaceutical Sciences, 17th Ed, 1985.
- Y.-S. Lee et al., Principles of Terahertz Science and Technology (Lecture Notes in Physics), Springer; 1 edition 2008.
- R.E. Miles et al., Terahertz Frequency Detection and Identification of Materials and Objects (NATO Science for Peace and Security Series B: Physics and Biophysics), Springer; 1 edition 2007.
- Repka MA, Drug Dev Ind Pharm. Oct. 2007;33(10):1043-57. (Abstract).
- Kurt H. Bauer, K. Lehmann, Hermann P. Osterwald, Rothgang, Gerhart, 1st edition, 1998, Medpharm Scientific Publishers (table of contents).
- O.G. Piringer, A.L. Baner, Plastic Packaging: Interactions with Food and Pharmaceuticals, Wiley VCH, 2nd Completely Revised Edition, Feb. 13, 2008.
- Guidance for Industry—Bioavailability and Bioequivalence—Studies for Orally Administered Drug Products—General Considerations, FDA, BP, Announced in the Federal Register: vol. 68, No. 53/Mar. 19, 2003.
- Crowley MM, Drug Dev Ind Pharm. Sep. 2007;33(9):909-26.
- D.A. Dean, E.R. Evans, I.H. Hall, Pharmaceutical Packaging Technology, Taylor & Francis, 1st Edition, Nov. 30, 2000.
- Dexheimer, Terahertz Spectroscopy: Principles and Applications (Optical Science and Engineering Series), CRC; 1 edition 2007.
- Encyclopedia of Pharmaceutical Technology, Third Edition, vol. 1, edited by James Swarbrick PharmaceuTech, Inc., Pinehurst, North Carolina, USA (Table of Contents only), Oct. 25, 2006.
- Encyclopedia of Pharmaceutical Technology, Third Edition, vol. 2, edited by James Swarbrick PharmaceuTech, Inc., Pinehurst, North Carolina, USA (Table of Contents only), Oct. 25, 2006.
- Encyclopedia of Pharmaceutical Technology, Third Edition, vol. 3, edited by James Swarbrick PharmaceuTech, Inc., Pinehurst, North Carolina, USA (Table of Contents only), Oct. 25, 2006.
- Encyclopedia of Pharmaceutical Technology, Third Edition, vol. 4, edited by James Swarbrick PharmaceuTech, Inc., Pinehurst, North Carolina, USA (Table of Contents only), Oct. 25, 2006.
- Encyclopedia of Pharmaceutical Technology, Third Edition, vol. 5, edited by James Swarbrick PharmaceuTech, Inc., Pinehurst, North Carolina, USA (Table of Contents only), Oct. 25, 2006.
- Encyclopedia of Pharmaceutical Technology, Third Edition, vol. 6, edited by James Swarbrick PharmaceuTech, Inc., Pinehurst, North Carolina, USA (Table of Contents only), Oct. 25, 2006.
- Guidance for Industry—Statistical Approaches to Establishing Bioequivalence, FDA, BP, Jan. 2001.
- Note for Guidance on the Investigation of Bioavailability and Bioequivalence, EMEA, London, Jul. 26, 2001 (CPMP/EWP/QWP/1401/98).
- Yeh et al., Stability of Morphine in Aqueous Solution III: Kinetics of Morphine Degradation in Aqueous Solution, Wiley Subscription Services, Inc., Journal of Pharmaceutical Sciences, 50(1): 35-42 (1961).
- Handbuch der Kunststoff-Extrusionstechnik 1, "Grundlagen" in Chapter 1.2 "Klassifizierung von Extrudern", pp. 3-7. 1989.
- 2.9 Methoden der pharmazeutischen Technologie 143-144, 1997.
- Apicella A., Biomaterials, vol. 14, No. 2, pp. 83-90, 1993.
- Arnold, "Teen Abuse of Painkiller OxyContin on the Rise," www.npr.org, Dec. 19, 2005.
- Bailey F.E., et al., "Some properties of poly(ethylene oxide) in aqueous solution," Journal of Applied Polymer Science, vol. 1, Issue No. 1, pp. 56-62, 1959.
- Bauer, Coated Pharmaceutical Dosage Forms, CRC Press, 1998, 1-10.
- Baum et al., Public Health Reports, 102(4): 426-429 (1987).
- Braun, et al. Angel Orthodontist, vol. 65 (5) pp. 373-377, 1995.
- Caraballo, Journal of Controlled Release, vol. 69, pp. 345-355, 2000.
- Coppens et al; "Hypromellose, Ethylcellulose, and Polyethylene Oxide Use in Hot Melt Extrusion"; Pharmaceutical Technology, 62-70, Jan. 2005.
- Crowley M.M., Biomaterials 23, 2002, pp. 4241-4248.
- Dachille, F. et al., "High-Pressure Phase Transformation in Laboratory Mechanical Mixers and Mortars", 1906., Nature, 186, pp. 1-2 (abstract).
- Davies, et al; European Journal of Pharmaceutics and Biopharmaceutics, 67, 2007, pp. 268-276.
- Dejong (Pharmaceutisch Weekblad Scientific Edition 1987, p. 24-28.
- Dow Excipients Chem. of Poly. Water Soluble-Resin 2004.
- Dow Technical Data, POLYOX, Feb. 2003.
- Efentakis M., Pharmaceutical Development and Technology, 5 (3), pp. 339-346, 2000.
- El-Sherbiny, European Polymer Journal, vol. 41, pp. 2584-2591, 2005.
- Adel El-Egakey et al, Pharmaceutica Acta Helvetica, vol. 46, Mar. 19, 1970.
- European Pharmacopeia, "Pharmaceutical technical procedures", 1997, p. 135.
- Fell, et al, Journal of Pharmaceutical Sciences, vol. 59, No. 5, May 1970, pp. 688-691.
- Follonier N., Drug Development and Industrial Pharmacy, 20(8), pp. 1323-1339, 1994.

US 8,309,060 B2

Page 6

- Follonier N., *Journal of Controlled Release* 36, pp. 243-250, 1995.
- Freed et al., "pH Control of Nucleophilic/electrophilic oxidation", *International Journal of Pharmaceutics*, vol. 357, pp. 180-188 (2008).
- Graham N.B., *Poly(Ethylene Glycol) Chemistry: Biotechnical and Biomedical Applications*, Chapter 17, 1992.
- Griffith, *Drug Administration*, vol. 19, No. 1, pp. 41-42, 2003.
- Hanning C.D., *British Journal of Anaesthesia*, 61, pp. 221-227, 1988.
- Inert gas—Wikipedia, Dec. 2009.
- Janicki S., *Acta Pharm. Technol.* 33 (3) 154-155, 1987.
- Katz et al., *Clin. J. Pain*, 23(8): 648-660 (2007).
- Kim C.-J. *J Pharm. Sciences* 1995, 84(3).
- Kim, *Chem. Pharm Bull.* 1992, 40(10), 2800-2804.
- J.W. McGinity—Letter of Jan. 26, 2009.
- Dr. Rick Matos, Ph.D—Letter Jan. 6, 2011.
- Levina, *Drug Development and Industrial Pharmacy*, vol. 28, No. 5, pp. 495-514, 2002.
- Levina, *Journal of Pharmaceutical Sciences*, vol. 89, No. 6, pp. 703-723, Jun. 2000.
- Lockhart et al., "Packaging of Pharmaceuticals and Health Care Products"; Blackie Academic & Professional; First Edition 1996.
- Madorsky S.L., *Journal of Polymer Science*, vol. 84, No. 3, Mar. 1959.
- Maggi. Therapeutic Potential of Capsaicin-like Molecules. *Life Sciences*, vol. 51, pp. 1777-1781, 1992.
- Maggi et al., *Biomaterials*, 2002, 23, 1113-1119.
- Maggi L. et al., "High molecular weight polyethylene oxides (PEOs) as an alternative to HPMC in controlled release dosage form", 2000, *International Journal of Pharmaceutics*, 195 pp. 229-238.
- Mank R., *Pharmazie* 44, H. 11, pp. 773-776, 1989.
- Mank R., *Pharmazie* 45, H. 8, pp. 592-593 1990.
- Mesiha M.S., *Drug Development and Industrial Pharmacy*, 19(8), pp. 943-959, 1993.
- Miller, *Nursing*, pp. 50-52, Feb. 2000.
- Mitchell, *Special Resource*, vol. 35, No. 5, pp. 535-557, 2000.
- Moroni A., *Drug Development and Industrial Pharmacy*, 21(12) pp. 1411-1428, 1995.
- Ohnishi N., *Chem. Pharm. Bull.* 35(8), pp. 3511-3515, 1987.
- Ozeki T., *Journal of Controlled Release* 58, pp. 87-95, 1999.
- Purdue News, "Purdue Pharma Provides Update on Development of New Abuse-Resistant Pain Medications; FDA Cites Patient Needs As First Priority; New Drug Application Delayed," www.headaches.about.com, Jun. 18, 2002.
- Verna, Manthena et al., *Am. J. Drug Deliv.* 2004; 2 (1): 43-57.
- Pharmazeutische Biologie—Drogen und ihre Inhaltsstoffe—Scharfstoffdrogen, pp. 82-92 (Wagner), 1999.
- Pharm. Research, *Official Journal of the American Association of Pharmaceutical Scientists*, Sep. 1989, 6(9), 6-98.
- Pharm. Research, *Official Journal of the American Association of Pharmaceutical Scientists*, Oct. 1991, 8(10), 8-192.
- Prapaitrakul W., *J. Pharm. Pharmacol.* 43, pp. 377-381, 1991.
- Proeschel, *J. Dent. Res.*, vol. 81, No. 7, pp. 464-468, 2002.
- Radko S., *Applied and Theoretical Electrophoresis* 5, pp. 79-88, 1995.
- Remington's *Pharmaceutical Sciences*, pp. 1553-1593, Ch. 89, 1980, 16th Edition.
- Remington's *Pharmaceutical Sciences* 17th ed., 1418 (1985).
- Rippie E.G., *Journal of Pharmaceutical Sciences*, Vol. 58, No. 4, pp. 428-431, Apr. 1969.
- Search result conducted on <http://www.unitconversion.org/force/newtons-to-kiloponds-conversion.html>, on Jul. 5, 2011 (Conversion of 18.8 kiloponds to newtons).
- Scheirs J., "Characterizing the Solid-State Thermal Oxidation of Poly (ethylene oxide) Powder", *Polymer*, vol. 32, No. 11, 1991.
- Schroeder J., *Granulierung hydrophober Wirkstoffe im Planetwalzenextruder* 2003, vol. 65, No. 4, 367-372.
- Shivanand P. *Pharmaceutical Research*, Oct. 1991, vol. 8, No. 10, p. 5192.
- Sprockel O.L., *J. Pharma. Pharmacol.* 42, pp. 152-157, 1990.
- Stafford J., *überzogene feste Formen*, 1991, 347-68.
- Strang, *British Med. J.*, 302: 969 (1991).
- Stringer J.L., *Journal of Controlled Release* 42, pp. 195-202, 1996.
- Summers et al; *Journal of Pharmaceutical Sciences*, vol. 66, No. 8, Aug. 1977, pp. 1172-1175.
- Tablet, www.docstoc.com (2011).
- Third Party Observations, Feb. 2, 2009.
- Thoma V.K. et al. "Bestimmung der In-vitro-Freigabe von schwach basischen Wirkstoffen aus Ratardarzneiformen", *Pharm. Ind.* 51, Nr. 3, 1989.
- Tipler, et al, *Physics for Scientists and Engineers*, 6th Edition, pp. 234-235, 2003.
- Tompkins et al., *Psychopharma.*, 210: 471-480 (2010).
- US Pharmacopoeia, Chapter 1217, Aug. 1, 2008.
- Waltimo, et al, "A novel bite force recorder and maximal isometric bite force values for healthy young adults", *Scandinavian Journal of Dental Research* 1993; 101: 171-5.
- Waltimo, et al, "Maximal bite force and its association with signs and symptoms of craniomandibular disorders in young Finnish non-patients", *Acta Odontol Scand* 53 (1995): 254-258.
- Waterman et al., "Stabilization of Pharmaceuticals to Oxidative Degredation", *Pharmaceutical Development and Technology*, vol. 71(1), pp. 1-32, (2002).
- Waters et al., *Am. J. Psychiatry*, 164(1): pp. 173-174 (2007).
- Wu N, Mathematical modeling and in vitro study of controlled drug release via a highly swellable and dissoluble polymer matrix: polyethylene oxide with high molecular weights, *J Control Release*. Feb. 16, 2005; 102(3):569-81.
- Yang, et al; "Characterization of Compressibility and Compactibility of Poly(ethylene oxide) Polymers for Modified Release Application by Compaction Simulator"; *Journal of Pharmaceutical Sciences*, vol. 85, No. 10, Oct. 1996.
- Yarbrough et al, *Letters to Nature* 322, 347-349 (Jul. 24, 1986)
- "Extraordinary effects of mortar-and-pestle grinding on microstructure of sintered alumina gel".
- Zhang et al., *Pharmaceutical Development and Technology*, 1999, 4, 241-250.
- Rowe et al. *Handbook of Pharmaceutical Excipients*. Sixth Edition. 2009, pp. v-ix, Table of Contents.
- Sprockel O.L., *J. Pharma. Pharmacol.* 42, pp. 152-157, 1990.
- Conversion of 18.8 kiloponds to newtons, <http://www.unitconversion.org/force/newtons-to-kiloponds-conversion.html> on Jul. 5, 2011.
- Ritschel et al. *Die Tablette: Handbuch der Entwicklung, Herstellung und Qualitätssicherung*. 2002, Ch 6, pp. 515-519.
- Bauer et al. *Lehrbuch der Pharmazeutischen Technologie*. 1999, pp. IX-XV, Table of contents.
- European Pharmacopoeia, Third Edition, Council of Europe, Strasbourg, 1997, pp. 127-152.
- European Pharmacopoeia, Third Edition Supplement 2000, Council of Europe, Strasbourg, 2000, pp. 85-107.
- Hong et al. Dissolution kinetics and physical characterization of three-layered tablet with poly(ethylene oxide) core matrix capped by Carbol. *Int. J. Pharmacol.* 2008, vol. 356, pp. 121-129.
- Hoepfner et al. *Fiedler Encyclopedia of Excipients*. 2007, Table of Contents only.
- Cawello, "Parameters for Compartment-free Pharmacokinetics—Standardization of Study Design, Data Analysis and Reporting" 1999, pp. XI-XIII (table of contents).
- Dachille, T., et al. "High-pressure phase transformation in laboratory mechanical mixers and mortars", 1960, *Nature*, 186, pp. 1-2 (abstract).
- Tablet Breaking Force. *Pharmacopeial Forum*. 2008. vol. No. 31(6)p. 1695.
- Brown, "The Dissolution Procedure: Development and Validation" vol. 31(5). Chapter 1092, 2006, 1-15.
- Andre et al., "O-Demethylation of Opoid Derivatives With Methane Sulfonic Acid/Methoinine: Application to the Synthesis of Naloxone and Analogues" *Synthetic Comm.* 22(16), pp. 2313-2327, 1992.
- Augustine, R.L., Catalytic Hydrogenation of a, B-Unsaturated Ketones. III The Effect of Quantity and Type of Catalysts, *J.Org Chem.* 28(1), pp. 152-155, Abstract 1963.
- Goodman and Gilman, "The Pharmacological Basis of Therapeutics, Seventh Edition", MacMillan Publishing Company, Table of Contents. 1985.
- McGinity et al., Hot-Melt Extrusion as a Pharmaceutical Process, *American Pharmaceutical Review*, vol. 4 (2), pp. 25-36, 2001.

US 8,309,060 B2

Page 7

- Weiss, U., "Derivatives of Morphine. I 14-Dihydroxydihydromorphinone," J. Am. Chem. Soc. 77, pp. 5891-5892, Nov. 20, 1955.
- European Search Report, Application No./Patent No. 11006253.6-2112, Dec. 16, 2011.
- European Search Report, Application No./Patent No. 11006254.4-2112, Dec. 16, 2011.
- European Search Report, Application No./Patent No. 11008131.2-1219, Feb. 24, 2012.
- European Search Report, Application No./Patent No. 12001296.8-1219, Jun. 26, 2012.
- European Search Report, Application No./Patent No. 11009129.5-2112, Apr. 10, 2012.
- European Search Report, Application No./Patent No. 12001301.6-1219, Jun. 26, 2012.
- A. James, "The legal and clinical implications of crushing tablet medication", Nurse Times 100(50), 28-33, 2004.
- C. W. McGary, Jr. "Degradation of Poly(ethylene Oxide)", Journal of Polymer Science vol. XLVI, 1960, pp. 51-57.
- P. Cornish "Avoid the Crush": hazards of medication administration in patients with dysphagia or a feeding tube, CMA Media Inc., CMAJ. 172(7), pp. 871-872, 2005.
- European Pharmacopoeia 2.9.40 "Uniformity of Dosage Units", 2006, pp. 3370-3373.
- European Pharmacopoeia 5.0, 2.9.8 "Resistance to Crushing of Tablets", 2005, p. 235.
- Griffin, "Classification of Surface-Active Agents by HLB" Journal of the Society of Cosmetic Chemists, Atlas Powder Company, 1949, pp. 311-326.
- Griffith et al. "Tablet Crushing and the Law: The Implications for Nursing" Professional Nurse 19(1), pp. 41-42, 2003.
- Mitchell, "Oral Dosage Forms That Should Not Be Crushed: 2000 Update" Hospital Pharmacy 35(5), 553-557, 2000.
- Munjal et al. "Polymeric Systems for Amorphous Delta⁹-Tetrahydrocannabinol Produced by a Hot-Melt Method. Part II: Effect of Oxidation Mechanisms and Chemical Interactions on Stability" Journal of Pharmaceutical Sciences vol. 95 No. 11, Wiley InterScience, 2006, pp. 2473-2485.
- Ozeki et al. "Control of Medicine Release From Solid Dispersion Through Poly(ethylene oxide)-Carboxyvinylpolymer Interaction", International Journal of Pharmaceutics, 165, 1998, pp. 239-244.
- Ozeki et al. "Controlled Release From Solid Dispersion Composed of Poly(ethylene oxide)-Carbopol Interpolymer Complex With Various Cross-Linking Degrees of Carbopol", Journal of Controlled Release. 63. 2000. pp. 287-295.
- Munsell Color Company, "The Munsell Book of Color: Glossy Collection", X-Rite, Originally published in 1966, pp. 1-7.
- Schier et al. "Fatality from Administration of Labetalol and Crushed Extended-Release Nifedipine" The Annals of Pharmacotherapy vol. 37, 1420-1423, Oct. 2003.
- USP Expert Council and its Committees. "The Dissolution Procedure: Development and Validation", heading "Study Design", "Time Points" US Pharmacopoeia (USP), General Chapter 1092, pp. 1-15, 2007.
- Wade and Weller, "Handbook of Pharmaceutical Excipients: 2nd Edition", The American Pharmaceutical Association and The Pharmaceutical Press, Table of Contents pp. v-vi, 1994.

* cited by examiner

US 8,309,060 B2

1

ABUSE-PROOFED DOSAGE FORM**CROSS-REFERENCE TO RELATED APPLICATIONS**

This application is a division of U.S. patent application Ser. No. 10/718,112, filed Nov. 20, 2003, now U.S. Pat. No. 8,114,383, which claims priority of German Patent Application No. 103 36 400.5, filed Aug. 6, 2003, the entire contents of both of which applications are incorporated herein by reference.

BACKGROUND OF THE INVENTION**1. Field of the Invention**

The present invention relates to an abuse-proofed, thermoformed dosage form containing, in addition to one or more active ingredients with abuse potential (A) optionally together with physiologically acceptable auxiliary substances (B), at least one synthetic or natural polymer (C) and optionally at least one wax (D), wherein component (C) exhibits a breaking strength of at least 500 N, and to a process for the production of the dosage form according to the invention.

2. Description of Related Art

Many pharmaceutical active ingredients, in addition to having excellent activity in their appropriate application, also have abuse potential, i.e. they can be used by an abuser to bring about effects other than those intended. Opiates, for example, which are highly active in combating severe to very severe pain, are frequently used by abusers to induce a state of narcosis or euphoria.

In order to make abuse possible, the corresponding dosage forms, such as tablets or capsules are comminuted, for example ground in a mortar, by the abuser, the active ingredient is extracted from the resultant powder using a preferably aqueous liquid and the resultant solution, optionally after being filtered through cotton wool or cellulose wadding, is administered parenterally, in particular intravenously. An additional phenomenon of this kind of administration, in comparison with abusive oral administration, is a further accelerated increase in active ingredient levels giving the abuser the desired effect, namely the "kick" or "rush". This kick is also obtained if the powdered dosage form is administered nasally, i.e. is sniffed. Since controlled-release dosage forms containing active ingredients with abuse potential do not give rise to the kick desired by the abuser when taken orally even in abusively high quantities, such dosage forms are also comminuted and extracted in order to be abused.

U.S. Pat. No. 4,070,494 proposed adding a swellable agent to the dosage form in order to prevent abuse. When water is added to extract the active ingredient, this agent swells and ensures that the filtrate separated from the gel contains only a small quantity of active ingredient.

The multilayer tablet disclosed in WO 95/20947 is based on a similar approach to preventing parenteral abuse, said tablet containing the active ingredient with abuse potential and at least one gel former, each in different layers.

WO 03/015531 A2 discloses another approach to preventing parenteral abuse. A dosage form containing an analgesic opioid and a dye as an aversive agent is described therein. The colour released by tampering with the dosage form is intended to discourage the abuser from using the dosage form which has been tampered with.

Another known option for complicating abuse involves adding antagonists to the active ingredients to the dosage form, for example naloxone or naltrexone in the case of opi-

2

ates, or compounds which cause a physiological defence response, such as for example Radix ipecacuanha=ipecac root.

However, since in most cases of abuse it is still necessary to pulverise the dosage form comprising an active ingredient suitable for abuse, it was the object of the present invention to complicate or prevent the pulverisation preceding abuse of the dosage form comprising the agents conventionally available for potential abuse and accordingly to provide a dosage form for active ingredients with abuse potential which ensures the desired therapeutic effect when correctly administered, but from which the active ingredients cannot be converted into a form suitable for abuse simply by pulverisation.

SUMMARY OF THE INVENTION

Said object has been achieved by the provision of the abuse-proofed, thermoformed dosage form according to the invention which contains, in addition to one or more active ingredients with abuse potential (A), at least one synthetic or natural polymer (C) and optionally at least one wax (D), wherein component (C) exhibits a breaking strength of at least 500 N.

DETAILED DESCRIPTION OF THE INVENTION

The use of polymers having the stated minimum breaking strength, preferably in quantities such that the dosage form also exhibits such a minimum breaking strength, means that pulverisation of the dosage form is considerably more difficult using conventional means, so considerably complicating or preventing the subsequent abuse.

If comminution is inadequate, parenteral, in particular intravenous, administration cannot be performed safely or extraction of the active ingredient therefrom takes too long for the abuser or there is no "kick" when taken orally, as release is not spontaneous.

According to the invention, comminution is taken to mean pulverisation of the dosage form with conventional means which are available to an abuser, such as for example a mortar and pestle, a hammer, a mallet or other usual means for pulverisation by application of force.

The dosage form according to the invention is thus suitable for preventing parenteral, nasal and/or oral abuse of pharmaceutical active ingredients with abuse potential.

Pharmaceutical active ingredients with abuse potential are known to the person skilled in the art, as are the quantities thereof to be used and processes for the production thereof, and may be present in the dosage form according to the invention as such, in the form of the corresponding derivatives thereof, in particular esters or ethers, or in each case in the form of corresponding physiologically acceptable compounds, in particular in the form of the salts or solvates thereof, as racemates or stereoisomers. The dosage form according to the invention is also suitable for the administration of several active ingredients. It is preferably used to administer a specific active ingredient.

The dosage form according to the invention is in particular suitable for preventing abuse of a pharmaceutical active ingredient selected from the group consisting of opiates, opioids, tranquillisers, preferably benzodiazepines, barbiturates, stimulants and other narcotics.

The dosage form according to the invention is very particularly suitable for preventing abuse of an opiate, opioid, tranquilliser or another narcotic selected from the group consisting of N-[1-[2-(4-ethyl-5-oxo-2-tetrazolin-1-yl)ethyl]-4-methoxymethyl-4-piperidyl]propionanilide (alfentanil), 5,5-

US 8,309,060 B2

3

diallylbarbituric acid (allobarbital), allylprodine, alphaprodine, 8-chloro-1-methyl-6-phenyl-4H-[1,2,4]triazolo[4,3-a][1,4]-benzodiazepine (alprazolam), 2-diethylaminopropiophenone (amfepramone), (\pm)- α -methyl-phenethylamine (amphetamine), 2-(α -methylphenethylamino)-2-phenylacetone (amphetaminil), 5-ethyl-5-isopentylbarbituric acid (amobarbital), anileridine, apocodeine, 5,5-diethylbarbituric acid (barbital), benzylmorphine, bezitramide, 7-bromo-5-(2-pyridyl)-1H-1,4-benzodiazepine-2(3H)-one (bromazepam), 2-bromo-4-(2-chlorophenyl)-9-methyl-6H-thieno[3,2-f][1,2,4]triazolo-[4,3-a][1,4]diazepine (brotizolam), 17-cyclopropylmethyl-4,5 α -epoxy-7 α [(S)-1-hydroxy-1,2,2-trimethyl-propyl]-6-methoxy-6,14-endo-ethanomorphinan-3-ol (buprenorphine), 5-butyl-5-ethylbarbituric acid (butobarbital), butorphanol, (7-chloro-1,3-dihydro-1-methyl-2-oxo-5-phenyl-2H-1,4-benzodiazepine-3-yl)-dimethylcarbamate (camazepam), (1S,2S)-2-amino-1-phenyl-1-propanol (cathine/D-norpseudoephedrine), 7-chloro-N-methyl-5-phenyl-3H-1,4-benzodiazepine-2-ylamine-4-oxide (chlorodiazepoxide), 7-chloro-1-methyl-5-phenyl-1H-1,5-benzodiazepine-2,4(3H,5H)-dione (clobazam), 5-(2-chlorophenyl)-7-nitro-1H-1,4-benzodiazepine-2(3H)-one (clonazepam), clonitazene, 7-chloro-2,3-dihydro-2-oxo-5-phenyl-1H-1,4-benzodiazepine-3-carboxylic acid (clorazepate), 5-(2-chlorophenyl)-7-ethyl-1-methyl-1H-thieno[2,3-e][1,4]diazepine-2(3H)-one (clotiazepam), 10-chloro-11b-(2-chlorophenyl)-2,3,7,11b-tetrahydrooxazolol[3,2-d][1,4]benzodiazepine-6(5H)-one (cloxazolam), (-)-methyl-[3 β -benzoyloxy-2 β (1 α H,5 α H)-tropancarboxylate] (cocaine), 4,5 α -epoxy-3-methoxy-17-methyl-7-morphinene-6 α -ol (codeine), 5-(1-cyclohexenyl)-5-ethylbarbituric acid (cyclobarbital), cyclorphan, cyprenorphine, 7-chloro-5-(2-chlorophenyl)-1H-1,4-benzodiazepine-2(3H)-one (deslorazepam), desomorphine, dextromoramide, (+)-(1-benzyl-3-dimethylamino-2-methyl-1-phenylpropyl)propionate (dextropropoxyphen), dezocine, diampromide, diamorphine, 7-chloro-1-methyl-5-phenyl-1H-1,4-benzodiazepine-2(3H)-one (diazepam), 4,5 α -epoxy-3-methoxy-17-methyl-6 α -morphinanol (dihydrocodeine), 4,5 α -epoxy-17-methyl-3,6 α -morphinandiols (dihydromorphine), dimenoxadol, dimepheptanol, dimethylthiambutene, dioxaphetyl butyrate, dipipanone, (6aR,10aR)-6,6,9-trimethyl-3-pentyl-6a,7,8,10a-tetrahydro-6H-benzo[c]chromene-1-ol (dronabinol), eptazocine, 8-chloro-6-phenyl-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine (estazolam), ethoheptazine, ethylmethylthiambutene, ethyl [7-chloro-5-(2-fluorophenyl)-2,3-dihydro-2-oxo-1H-1,4-benzodiazepine-3-carboxylate] (ethyl loflazepam), 4,5 α -epoxy-3-ethoxy-17-methyl-7-morphinene-6 α -ol (ethylmorphine), etonitazene, 4,5 α -epoxy-7 α -(1-hydroxy-1-methylbutyl)-6-methoxy-17-methyl-6,14-endo-etheno-morphinan-3-ol (etorphine), N-ethyl-3-phenyl-8,9,10-trinorbornan-2-ylamine (fencamfamine), 7-[2-(α -methyl-phenethylamino)ethyl]-theophylline (fenethylamine), 3-(α -methylphenethylamino)propionitrile (fenproporex), N-(1-phenethyl-4-piperidyl)propionanilide (fentanyl), 7-chloro-5-(2-fluorophenyl)-1-methyl-1H-1,4-benzodiazepine-2(3H)-one (fludiazepam), 5-(2-fluorophenyl)-1-methyl-7-nitro-1H-1,4-benzodiazepine-2(3H)-one (flunitrazepam), 7-chloro-1-(2-diethylaminoethyl)-5-(2-fluorophenyl)-1H-1,4-benzodiazepine-2(3H)-one (flurazepam), 7-chloro-5-phenyl-1-(2,2,2-trifluoroethyl)-1H-1,4-benzodiazepine-2(3H)-one (halazepam), 10-bromo-11b-(2-fluorophenyl)-2,3,7,11b-tetrahydro[1,3]oxazolyl[3,2-d][1,4]benzodiazepine-6(5H)-one (haloxazolam), heroin, 4,5 α -epoxy-3-methoxy-17-methyl-6-morphinanone (hydrocodone), 4,5 α -epoxy-3-hydroxy-17-

4

methyl-6-morphinanone (hydromorphone), hydroxypethidine, isomethadone, hydroxymethyl morphinan, 11-chloro-8,12b-dihydro-2,8-dimethyl-12b-phenyl-4H-[1,3]oxazino[3,2-d][1,4]benzodiazepine-4,7(6H)-dione (ketazolam), 1-[4-(3-hydroxyphenyl)-1-methyl-4-piperidyl]-1-propanone (ketobemidone), (3S,6S)-6-dimethylamino-4,4-diphenylheptan-3-yl acetate (levacetylmethadol (LAAM)), (-)-6-dimethylamino-4,4-diphenol-3-heptanone (levomethadone), (-)-17-methyl-3-morphinanol (levorphanol), levophenacylmorphane, lofentanil, 6-(2-chlorophenyl)-2-(4-methyl-1-piperazinylmethylene)-8-nitro-2H-imidazo[1,2-a][1,4]benzodiazepine-1(4H)-one (loprazolam), 7-chloro-5-(2-chlorophenyl)-3-hydroxy-1H-1,4-benzodiazepine-2(3H)-one (lorazepam), 7-chloro-5-(2-chlorophenyl)-3-hydroxy-1-methyl-1H-1,4-benzodiazepine-2(3H)-one (lormetazepam), 5-(4-chlorophenyl)-2,5-dihydro-3H-imidazo[2,1-a]isindol-5-ol (mazindol), 7-chloro-2,3-dihydro-1-methyl-5-phenyl-1H-1,4-benzodiazepine (medazepam), N-(3-chloropropyl)- α -methylphenethylamine (mefenorex), meperidine, 2-methyl-2-propyltrimethylene dicarbamate (meprobamate), meptazinol, metazocine, methylmorphine, N, α -dimethylphenethylamine (methamphetamine), (\pm)-6-dimethylamino-4,4-diphenyl-3-heptanone (methadone), 2-methyl-3-o-tolyl-4(3H)-quinazolinone (methaqualone), methyl [2-phenyl-2-(2-piperidyl)acetate] (methylphenidate), 5-ethyl-1-methyl-5-phenylbarbituric acid (methylphenobarbital), 3,3-diethyl-5-methyl-2,4-piperidinedione (methyprylon), metopon, 8-chloro-6-(2-fluorophenyl)-1-methyl-4H-imidazo[1,5-a][1,4]benzodiazepine (midazolam), 2-(benzhydrylsulfinyl)-acetamide (modafinil), 4,5 α -epoxy-17-methyl-7-morphinene-3,6 α -diol (morphine), myrophine, (\pm)-trans-3-(1,1-dimethylheptyl)-7,8,10,10 α -tetrahydro-1-hydroxy-6,6-dimethyl-6H-dibenzo[b,d]pyrane-9(6 α H)-one (nabilone), nalbuphine, nalorphine, narceine, nicomorphine, 1-methyl-7-nitro-5-phenyl-1H-1,4-benzodiazepine-2(3H)-one (nimetazepam), 7-nitro-5-phenyl-1H-1,4-benzodiazepine-2(3H)-one (nitrazepam), 7-chloro-5-phenyl-1H-1,4-benzodiazepine-2(3H)-one (nordazepam), norlevorphanol, 6-dimethylamino-4,4-diphenyl-3-hexanone (normethadone), normorphine, norpipanone, the exudation of plants belonging to the species *Papaver somniferum* (opium), 7-chloro-3-hydroxy-5-phenyl-1H-1,4-benzodiazepine-2(3H)-one (oxazepam), (cis-trans)-10-chloro-2,3,7,11b-tetrahydro-2-methyl-11b-phenyloxazolol[3,2-d][1,4]benzodiazepine-6(5H)-one (oxazolam), 4,5 α -epoxy-14-hydroxy-3-methoxy-17-methyl-6-morphinanone (oxycodone), oxymorphone, plants and parts of plants belonging to the species *Papaver somniferum* (including the subspecies *setigerum*), papavereturn, 2-imino-5-phenyl-4-oxazolidinone (pernoline), 1,2,3,4,5,6-hexahydro-6,11-dimethyl-3-(3-methyl-2-butenyl)-2,6-methano-3-benzazocin-8-ol (pentazocine), 5-ethyl-5-(1-methylbutyl)-barbituric acid (pentobarbital), ethyl-(1-methyl-4-phenyl-4-piperidine carboxylate) (pethidine), phenadoxone, phenomorphan, phenazocine, phenoperidine, piminodine, pholcodine, 3-methyl-2-phenylmorpholine (phenmetrazine), 5-ethyl-5-phenylbarbituric acid (phenobarbital), α , α -dimethylphenethylamine (phentermine), 7-chloro-5-phenyl-1-(2-propynyl)-1H-1,4-benzodiazepine-2(3H)-one (pinazepam), α -(2-piperidyl)benzhydryl alcohol (pipradrol), 1'-(3-cyano-3,3-diphenylpropyl)[1,4'-bipiperidine]-4'-carboxamide (piritramide), 7-chloro-1-(cyclopropylmethyl)-5-phenyl-1H-1,4-benzodiazepine-2(3H)-one (prazepam), profadol, proheptazine, promedol, properidine, propoxyphene, N-(1-methyl-2-piperidinoethyl)-N-(2-pyridyl)propionamide, methyl {3-[4-methoxycarbonyl-4-(N-phenylpropanamido)piperidino]propanoate} (remifentanyl), 5-sec-butyl-5-ethylbarbituric acid (secbutabarbital), 5-allyl-

US 8,309,060 B2

5

5-(1-methylbutyl)-barbituric acid (secobarbital), N-{4-methoxymethyl-1-[2-(2-thienyl)ethyl]-4-piperidyl}-propionanilide (sufentanil), 7-chloro-2-hydroxy-methyl-5-phenyl-1H-1,4-benzodiazepin-2(3H)-one (temazepam), 7-chloro-5-(1-cyclohexenyl)-1-methyl-1H-1,4-benzodiazepine-2(3H)-one (tetrazepam), ethyl (2-dimethylamino-1-phenyl-3-cyclohexene-1-carboxylate) (tilidine (cis and trans)), tramadol, 8-chloro-6-(2-chlorophenyl)-1-methyl-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine (triazolam), 5-(1-methylbutyl)-5-vinylbarbituric acid (vinylbital), (1R*,2R*)-3-(3-dimethylamino-1-ethyl-2-methyl-propyl)-phenol, (1R,2R,4S)-2-(dimethylamino)methyl-4-(p-fluoro-benzyloxy)-1-(m-methoxyphenyl)cyclohexanol, (1R,2R)-3-(2-dimethylaminomethyl-cyclohexyl)phenol, (1S,2S)-3-(3-dimethylamino-1-ethyl-2-methyl-propyl)phenol, (2R,3R)-1-dimethylamino-3-(3-methoxyphenyl)-2-methyl-pentan-3-ol, (1RS,3RS,6RS)-6-dimethylaminomethyl-1-(3-methoxyphenyl)-cyclohexane-1,3-diol, 3-(2-dimethylaminomethyl-1-hydroxy-cyclohexyl)phenyl 2-(4-isobutoxy-phenyl)-propionate, 3-(2-dimethylaminomethyl-1-hydroxy-cyclohexyl)phenyl 2-(6-methoxy-naphthalen-2-yl)-propionate, 3-(2-dimethylaminomethyl-cyclohex-1-enyl)-phenyl 2-(4-isobutyl-phenyl)-propionate, 3-(2-dimethylaminomethyl-cyclohex-1-enyl)-phenyl 2-(6-methoxy-naphthalen-2-yl)-propionate, (RR-SS)-2-acetoxy-4-trifluoromethyl-benzoic acid 3-(2-dimethylaminomethyl-1-hydroxy-cyclohexyl)-phenyl ester, (RR-SS)-2-hydroxy-4-trifluoromethyl-benzoic acid 3-(2-dimethylaminomethyl-1-hydroxy-cyclohexyl)-phenyl ester, (RR-SS)-4-chloro-2-hydroxy-benzoic acid 3-(2-dimethylaminomethyl-1-hydroxy-cyclohexyl)-phenyl ester, (RR-SS)-2-hydroxy-4-methyl-benzoic acid 3-(2-dimethylaminomethyl-1-hydroxy-cyclohexyl)-phenyl ester, (RR-SS)-2-hydroxy-4-methoxy-benzoic acid 3-(2-dimethylaminomethyl-1-hydroxy-cyclohexyl)-phenyl ester, (RR-SS)-2-hydroxy-5-nitro-benzoic acid 3-(2-dimethylaminomethyl-1-hydroxy-cyclohexyl)-phenyl ester, (RR-SS)-2',4'-difluoro-3-hydroxy-biphenyl-4-carboxylic acid 3-(2-dimethylaminomethyl-1-hydroxy-cyclohexyl)-phenyl ester and for corresponding stereoisomeric compounds, the corresponding derivatives thereof in each case, in particular esters or ethers, and the physiologically acceptable compounds thereof in each case, in particular the salts and solvates thereof.

The compounds (1R*,2R*)-3-(3-dimethylamino-1-ethyl-2-methyl-propyl)-phenol, (1R,2R,4S)-2-(dimethylamino)methyl-4-(p-fluorobenzyloxy)-1-(m-methoxyphenyl)cyclohexanol or the stereoisomeric compounds thereof or the physiologically acceptable compounds thereof, in particular the hydrochlorides thereof, the derivatives thereof, such as esters or ethers, and processes for the production thereof are known, for example, from EP-A-693475 or EP-A-780369. The corresponding descriptions are hereby introduced as a reference and are deemed to be part of the disclosure.

In order to achieve the necessary breaking strength of the dosage form according to the invention, at least one synthetic or natural polymer (C) is used which has a breaking strength, measured using the method disclosed in the present application, of at least 500 N. At least one polymer selected from the group consisting of polymethylene oxide, polyethylene oxide, polypropylene oxide, polyethylene, polypropylene, polyvinyl chloride, polycarbonate, polystyrene, polyacrylate, copolymers thereof, and mixtures of at least two of the stated polymers is preferably used for this purpose. The polymers are distinguished by a molecular weight of at least 0.5 million, determined by rheological measurements. Thermoplastic polyalkylene oxides, such as polyethylene oxides, with a molecular weight of at least 0.5 million, preferably of up to 15

6

million, determined by rheological measurements, are very particularly preferred. These polymers have a viscosity at 25° C. of 4500 to 17600 cP, measured on a 5 wt. % aqueous solution using a model RVF Brookfield viscosimeter (spindle no. 2/rotational speed 2 rpm), of 400 to 4000 cP, measured on a 2 wt. % aqueous solution using the stated viscosimeter (spindle no. 1 or 3/rotational speed 10 rpm) or of 1650 to 10000 cP, measured on a 1 wt. % aqueous solution using the stated viscosimeter (spindle no. 2/rotational speed 2 rpm).

The polymers are used in powder form.

In order to achieve the necessary breaking strength of the dosage form according to the invention, it is furthermore possible additionally to use at least one natural or synthetic wax (D) with a breaking strength, measured using the method disclosed in the present application, of at least 500 N. Waxes with a softening point of at least 60° C. are preferred. Carnauba wax and beeswax are particularly preferred. Carnauba wax is very particularly preferred. Carnauba wax is a natural wax which is obtained from the leaves of the carnauba palm and has a softening point of $\geq 80^{\circ}$ C. When the wax component is additionally used, it is used together with at least one polymer (C) in quantities such that the dosage form has a breaking strength of at least 500 N.

The dosage forms according to the invention are distinguished in that, due to their hardness, they cannot be pulverised, for example by grinding in a mortar. This virtually rules out oral or parenteral, in particular intravenous or nasal abuse. However, in order to prevent any possible abuse in the event of comminution and/or pulverisation of the dosage form according to the invention which has nevertheless been achieved by application of extreme force, the dosage forms according to the invention may, in a preferred embodiment, contain further agents which complicate or prevent abuse as auxiliary substances (B).

The abuse-proofed dosage form according to the invention, which comprises, apart from one or more active ingredients with abuse potential, at least one hardening polymer (C) and optionally at least one wax (D), may accordingly also comprise at least one of the following components (a)-(f) as auxiliary substances (B):

- at least one substance which irritates the nasal passages and/or pharynx,
- at least one viscosity-increasing agent, which, with the assistance of a necessary minimum quantity of an aqueous liquid, forms a gel with the extract obtained from the dosage form, which gel preferably remains visually distinguishable when introduced into a further quantity of an aqueous liquid,
- at least one antagonist for each of the active ingredients with abuse potential,
- at least one emetic,
- at least one dye as an aversive agent,
- at least one bitter substance.

Components (a) to (f) are additionally each individually suitable for abuse-proofing the dosage form according to the invention. Accordingly, component (a) is preferably suitable for proofing the dosage form against nasal, oral and/or parenteral, preferably intravenous, abuse, component (b) is preferably suitable for proofing against parenteral, particularly preferably intravenous and/or nasal abuse, component (c) is preferably suitable for proofing against nasal and/or parenteral, particularly preferably intravenous, abuse, component (d) is preferably suitable for proofing against parenteral, particularly preferably intravenous, and/or oral and/or nasal abuse, component (e) is suitable as a visual deterrent against oral or parenteral abuse and component (f) is suitable for proofing against oral or nasal abuse. Combined

US 8,309,060 B2

7

use according to the invention of at least one of the above-stated components makes it possible still more effectively to prevent abuse of dosage forms according to the invention.

In one embodiment, the dosage form according to the invention may also comprise two or more of components (a)-(f) in a combination, preferably (a), (b) and optionally (c) and/or (f) and/or (e) or (a), (b) and optionally (d) and/or (f) and/or (e).

In another embodiment, the dosage form according to the invention may comprise all of components (a)-(f).

If the dosage form according to the invention comprises component (a) to counter abuse, substances which irritate the nasal passages and/or pharynx which may be considered according to the invention are any substances which, when administered via the nasal passages and/or pharynx, bring about a physical reaction which is either so unpleasant for the abuser that he/she does not wish to or cannot continue administration, for example burning, or physiologically counteracts taking of the corresponding active ingredient, for example due to increased nasal secretion or sneezing. These substances which conventionally irritate the nasal passages and/or pharynx may also bring about a very unpleasant sensation or even unbearable pain when administered parenterally, in particular intravenously, such that the abuser does not wish to or cannot continue taking the substance.

Particularly suitable substances which irritate the nasal passages and/or pharynx are those which cause burning, itching, an urge to sneeze, increased formation of secretions or a combination of at least two of these stimuli. Appropriate substances and the quantities thereof which are conventionally to be used are known per se to the skilled person or may be identified by simple preliminary testing.

The substance which irritates the nasal passages and/or pharynx of component (a) is preferably based on one or more constituents or one or more plant parts of at least one hot substance drug.

Corresponding hot substance drugs are known per se to the person skilled in the art and are described, for example, in "Pharmazeutische Biologie—Drogen und ihre Inhaltsstoffe" by Prof. Dr. Hildebert Wagner, 2nd., revised edition, Gustav Fischer Verlag, Stuttgart-N.Y., 1982, pages 82 et seq. The corresponding description is hereby introduced as a reference and is deemed to be part of the disclosure.

The dosage form according to the invention may preferably contain the plant parts of the corresponding hot substance drugs in a quantity of 0.01 to 30 wt. %, particularly preferably of 0.1 to 0.5 wt. %, in each case relative to the total weight dosage unit.

If one or more constituents of corresponding hot substance drugs are used, the quantity thereof in a dosage unit according to the invention preferably amounts to 0.001 to 0.005 wt. %, relative to the total weight of the dosage unit.

A dosage unit is taken to mean a separate or separable administration unit, such as for example a tablet or a capsule.

One or more constituents of at least one hot substance drug selected from the group consisting of *Allii sativi bulbus* (garlic), *Asari rhizoma cum herba* (Asarum root and leaves), *Calami rhizoma* (calamus root), *Capsici fructus* (capsicum), *Capsici fructus acer* (cayenne pepper), *Curcumae longae rhizoma* (turmeric root), *Curcumae xanthorrhizae rhizoma* (Javanese turmeric root), *Galangae rhizoma* (galangal root), *Myristicae semen* (nutmeg), *Piperis nigri fructus* (pepper), *Sinapis albae semen* (white mustard seed), *Sinapis nigri semen* (black mustard seed), *Zedoariae rhizoma* (zedoary root) and *Zingiberis rhizoma* (ginger root), particularly preferably from the group consisting of *Capsici fructus* (capsicum), *Capsici fructus acer* (cayenne pepper) and *Piperis nigri*

8

fructus (pepper) may preferably be added as component (a) to the dosage form according to the invention.

The constituents of the hot substance drugs preferably comprise o-methoxy(methyl)phenol compounds, acid amide compounds, mustard oils or sulfide compounds or compounds derived therefrom.

Particularly preferably, at least one constituent of the hot substance drugs is selected from the group consisting of myristicin, elemicin, isoeugenol, β -asarone, safrole, gingerols, xanthorrhizol, capsaicinoids, preferably capsaicin, capsaicin derivatives, such as N-vanillyl-9E-octadecanamide, dihydrocapsaicin, nordihydrocapsaicin, homocapsaicin, norcapsaicin and nomocapsaicin, piperine, preferably trans-piperine, glucosinolates, preferably based on non-volatile mustard oils, particularly preferably based on p-hydroxybenzyl mustard oil, methylmercapto mustard oil or methylsulfonyl mustard oil, and compounds derived from these constituents.

Another option for preventing abuse of the dosage form according to the invention consists in adding at least one viscosity-increasing agent as a further abuse-preventing component (b) to the dosage form, which, with the assistance of a necessary minimum quantity of an aqueous liquid, forms a gel with the extract obtained from the dosage form, which gel is virtually impossible to administer safely and preferably remains visually distinguishable when introduced into a further quantity of an aqueous liquid.

For the purposes of the present invention visually distinguishable means that the active ingredient-containing gel formed with the assistance of a necessary minimum quantity of aqueous liquid, when introduced, preferably with the assistance of a hypodermic needle, into a further quantity of aqueous liquid at 37° C., remains substantially insoluble and cohesive and cannot straightforwardly be dispersed in such a manner that it can safely be administered parenterally, in particular intravenously. The material preferably remains visually distinguishable for at least one minute, preferably for at least 10 minutes.

The increased viscosity of the extract makes it more difficult or even impossible for it to be passed through a needle or injected. If the gel remains visually distinguishable, this means that the gel obtained on introduction into a further quantity of aqueous liquid, for example by injection into blood, initially remains in the form of a largely cohesive thread, which, while it may indeed be broken up into smaller fragments, cannot be dispersed or even dissolved in such a manner that it can safely be administered parenterally, in particular intravenously. In combination with at least one optionally present component (a) to (e), this additionally leads to unpleasant burning, vomiting, bad flavour and/or visual deterrence.

Intravenous administration of such a gel would most probably result in obstruction of blood vessels, associated with serious embolism or even death of the abuser.

In order to verify whether a viscosity-increasing agent is suitable as component (b) for use in the dosage form according to the invention, the active ingredient is mixed with the viscosity-increasing agent and suspended in 10 ml of water at a temperature of 25° C. If this results in the formation of a gel which fulfils the above-stated conditions, the corresponding viscosity-increasing agent is suitable for preventing or averting abuse of the dosage forms according to the invention.

If component (b) is added to the dosage form according to the invention, one or more viscosity-increasing agents are used which are selected from the group consisting of microcrystalline cellulose with 11 wt. % carboxymethylcellulose sodium (Avicel® RC 591), carboxymethylcellulose sodium

US 8,309,060 B2

9

(Blanose®, CMC-Na C300P®, Frimulsion BLC-5®, Tylose C300 P®), polyacrylic acid (Carbopol® 980 NF, Carbopol® 981), locust bean flour (Cesagum® LA-200, Cesagum® LID/150, Cesagum® LN-1), pectins such as citrus pectin (Cesapectin® HM Medium Rapid Set), apple pectin, pectin from lemon peel, waxy maize starch (C*Gel 04201®), sodium alginate (Frimulsion ALG (E401)®), guar flour (Frimulsion BM®, Polygum 26/1-75®), iota carrageen (Frimulsion D021®), karaya gum, gellan gum (Kelcogel F®, Kelcogel LT100®), galactomannan (Meyprogat 150®), tara bean flour (Polygum 43/10), propylene glycol alginate (Protanal-Ester SD-LB®), sodium hyaluronate, tragacanth, tara gum (Vidogum SP 200®), fermented polysaccharide welan gum (K1A96), xanthan gum (Xantural 180®). Xanthans are particularly preferred. The names stated in brackets are the trade names by which the materials are known commercially. In general, a quantity of 0.1 to 5 wt. % of the viscosity-increasing agent(s) is sufficient to fulfil the above-stated conditions.

The component (b) viscosity-increasing agents, where provided, are preferably present in the dosage form according to the invention in quantities of ≥ 5 mg per dosage unit, i.e. per administration unit.

In a particularly preferred embodiment of the present invention, the viscosity-increasing agents used as component (b) are those which, on extraction from the dosage form with the necessary minimum quantity of aqueous liquid, form a gel which encloses air bubbles. The resultant gels are distinguished by a turbid appearance, which provides the potential abuser with an additional optical warning and discourages him/her from administering the gel parenterally.

It is also possible to formulate the viscosity-increasing agent and the other constituents in the dosage form according to the invention in a mutually spatially separated arrangement.

In order to discourage and prevent abuse, the dosage form according to the invention may furthermore comprise component (c), namely one or more antagonists for the active ingredient or active ingredients with abuse potential, wherein the antagonists are preferably spatially separated from the remaining constituents of the invention dosage according to the form and, when correctly used, do not exert any effect.

Suitable antagonists for preventing abuse of the active ingredients are known per se to the person skilled in the art and may be present in the dosage form according to the invention as such or in the form of corresponding derivatives, in particular esters or ethers, or in each case in the form of corresponding physiologically acceptable compounds, in particular in the form of the salts or solvates thereof.

If the active ingredient present in the dosage form is an opiate or an opioid, the antagonist used is preferably an antagonist selected from the group consisting of naloxone, naltrexone, nalmefene, nalid, nalmexone, nalorphine or naluphine, in each case optionally in the form of a corresponding physiologically acceptable compound, in particular in the form of a base, a salt or solvate. The corresponding antagonists, where component (c) is provided, are preferably used in a quantity of ≥ 10 mg, particularly preferably in a quantity of 10 to 100 mg, very particularly preferably in a quantity of 10 to 50 mg per dosage form, i.e. per administration unit.

If the dosage form according to the invention comprises a stimulant as active ingredient, the antagonist is preferably a neuroleptic, preferably at least one compound selected from the group consisting of haloperidol, promethazine, fluphenazine, perphenazine, levomepromazine, thioridazine, perazine, chlorpromazine, chlorprothixine, zuclopentixol, flupentixol, prothipendyl, zotepine, benperidol, pipamperone, melperone and bromperidol.

10

The dosage form according to the invention preferably comprises these antagonists in a conventional therapeutic dose known to the person skilled in the art, particularly preferably in a quantity of twice to four times the conventional dose per administration unit.

If the combination to discourage and prevent abuse of the dosage form according to the invention comprises component (d), it may comprise at least one emetic, which is preferably present in a spatially separated arrangement from the other components of the dosage form according to the invention and, when correctly used, is intended not to exert its effect in the body.

Suitable emetics for preventing abuse of an active ingredient are known per se to the person skilled in the art and may be present in the dosage form according to the invention as such or in the form of corresponding derivatives, in particular esters or ethers, or in each case in the form of corresponding physiologically acceptable compounds, in particular in the form of the salts or solvates thereof.

An emetic based on one or more constituents of radix ipecacuanha (ipecac root), preferably based on the constituent emetine may preferably be considered in the dosage form according to the invention, as are, for example, described in "Pharmazeutische Biologie—Drogen und ihre Inhaltsstoffe" by Prof. Dr. Hildebert Wagner, 2nd, revised edition, Gustav Fischer Verlag, Stuttgart, N.Y., 1982. The corresponding literature description is hereby introduced as a reference and is deemed to be part of the disclosure.

The dosage form according to the invention may preferably comprise the emetic emetine as component (d), preferably in a quantity of ≥ 10 mg, particularly preferably of ≥ 20 mg and very particularly preferably in a quantity of ≥ 40 mg per dosage form, i.e. administration unit.

Apomorphine may likewise preferably be used as an emetic in the abuse-proofing according to the invention, preferably in a quantity of preferably ≥ 3 mg, particularly preferably of ≥ 5 mg and very particularly preferably of ≥ 7 mg per administration unit.

If the dosage form according to the invention contains component (e) as a further abuse-preventing auxiliary substance, the use of a such a dye brings about an intense coloration of a corresponding aqueous solution, in particular when the attempt is made to extract the active ingredient for parenteral, preferably intravenous administration, which coloration may act as a deterrent to the potential abuser. Oral abuse, which conventionally begins by means of aqueous extraction of the active ingredient, may also be prevented by this coloration. Suitable dyes and the quantities required for the necessary deterrence may be found in WO 03/015531, wherein the corresponding disclosure should be deemed to be part of the present disclosure and is hereby introduced as a reference.

If the dosage form according to the invention contains component (f) as a further abuse-preventing auxiliary substance, this addition of at least one bitter substance and the consequent impairment of the flavour of the dosage form additionally prevents oral and/or nasal abuse.

Suitable bitter substances and the quantities effective for use may be found in US-2003/0064099 A1, the corresponding disclosure of which should be deemed to be the disclosure of the present application and is hereby introduced as a reference. Suitable bitter substances are preferably aromatic oils, preferably peppermint oil, eucalyptus oil, bitter almond oil, menthol, fruit aroma substances, preferably aroma substances from lemons, oranges, limes, grapefruit or mixtures thereof, and/or denatonium benzoate.

US 8,309,060 B2

11

The solid dosage form according to the invention is suitable to be taken orally or rectally, preferably orally.

The orally administrable dosage form according to the invention may assume multiparticulate form, preferably in the form of microtablets, microcapsules, micropellets, granules, spheroids, beads or pellets, optionally packaged in capsules or pressed into tablets. The multiparticulate forms preferably have a size or size distribution in the range from 0.1 to 3 mm, particularly preferably in the range from 0.5 to 2 mm. Depending on the desired dosage form, conventional auxiliary substances (B) are optionally also used for the formulation of the dosage form.

The solid, abuse-proofed dosage form according to the invention is preferably produced by mixing the components (A), (B), (C) and optionally (D) and at least one of the optionally present further abuse-preventing components (a)-(f) and, optionally after granulation, press-forming the resultant mixture to yield the dosage form with preceding, simultaneous, or subsequent exposure to heat.

Mixing of components (A), (B), (C) and optionally (D) and of the optionally present further components (a)-(f) proceeds in a mixer known to the person skilled in the art. The mixer may, for example, be a roll mixer, shaking mixer, shear mixer or compulsory mixer.

The resultant mixture is preferably formed directly by application of pressure to yield the dosage form according to the invention with preceding, simultaneous or subsequent exposure to heat. The mixture may, for example, be formed into tablets by direct tableting. In direct tableting with simultaneous exposure to heat, the tableting tool, i.e. bottom punch, top punch and die are briefly heated at least to the softening temperature of the polymer (C) and pressed together. In direct tableting with subsequent exposure to heat, the formed tablets are briefly heated at least to the softening temperature (glass transition temperature, melting temperature; sintering temperature) of component (C) and cooled again. In direct tableting with preceding exposure to heat, the material to be pressed is heated immediately prior to tableting at least to the softening temperature of component (C) and then pressed.

The resultant mixture of components (A), (B), (C) and optionally (D) and the optionally present components (a) to (f) may also first be granulated and then be formed with preceding, simultaneous, or subsequent exposure to heat to yield the dosage form according to the invention.

In a further preferred embodiment, the dosage form according to the invention assumes the form of a tablet, a capsule or is in the form of an oral osmotic therapeutic system (OROS), preferably if at least one further abuse-preventing component (a)-(f) is also present.

If components (c) and/or (d) and/or (f) are present in the dosage form according to the invention, care must be taken to ensure that they are formulated in such a manner or are present in such a low dose that, when correctly administered, the dosage form is able to bring about virtually no effect which impairs the patient or the efficacy of the active ingredient.

If the dosage form according to the invention contains component (d) and/or (f), the dosage must be selected such that, when correctly orally administered, no negative effect is caused. If, however, the intended dosage of the dosage form is exceeded inadvertently, in particular by children, or in the event of abuse, nausea or an inclination to vomit or a bad flavour are produced. The particular quantity of component (d) and/or (f) which can still be tolerated by the patient in the event of correct oral administration may be determined by the person skilled in the art by simple preliminary testing.

12

If, however, irrespective of the fact that the dosage form according to the invention is virtually impossible to pulverise, the dosage form containing the components (c) and/or (d) and/or (f) is provided with protection, these components should preferably be used at a dosage which is sufficiently high that, when abusively administered, they bring about an intense negative effect on the abuser. This is preferably achieved by spatial separation of at least the active ingredient or active ingredients from components (c) and/or (d) and/or (f), wherein the active ingredient or active ingredients is/are present in at least one subunit (X) and components (c) and/or (d) and/or (f) is/are present in at least one subunit (Y), and wherein, when the dosage form is correctly administered, components (c), (d) and (f) do not exert their effect on taking and/or in the body and the remaining components of the formulation, in particular component (C), are identical.

If the dosage form according to the invention comprises at least 2 of components (c) and (d) or (f), these may each be present in the same or different subunits (Y). Preferably, when present, all the components (c) and (d) and (f) are present in one and the same subunit (Y).

For the purposes of the present invention, subunits are solid formulations, which in each case, apart from conventional auxiliary substances known to the person skilled in the art, contain the active ingredient(s), at least one polymer (C) and optionally at least one of the optionally present components (a) and/or (b) and/or (e) or in each case at least one polymer (C) and the antagonist(s) and/or emetic(s) and/or component (e) and/or component (f) and optionally at least one of the optionally present components (a) and/or (b). Care must here be taken to ensure that each of the subunits is formulated in accordance with the above-stated process.

One substantial advantage of the separated formulation of active ingredients from components (c) or (d) or (f) in subunits (X) and (Y) of the dosage form according to the invention is that, when correctly administered, components (c) and/or (d) and/or (f) are hardly released on taking and/or in the body or are released in such small quantities that they exert no effect which impairs the patient or therapeutic success or, on passing through the patient's body, they are only liberated in locations where they cannot be sufficiently absorbed to be effective. When the dosage form is correctly administered, hardly any of components (c) and/or (d) and/or (f) is released into the patient's body or they go unnoticed by the patient.

The person skilled in the art will understand that the above-stated conditions may vary as a function of the particular components (c), (d) and/or (f) used and of the formulation of the subunits or the dosage form. The optimum formulation for the particular dosage form may be determined by simple preliminary testing. What is vital is that each subunit contains the polymer (C) and has been formulated in the stated manner.

Should, contrary to expectations, the abuser succeed in comminuting such a dosage form according to the invention, which comprises components (c) and/or (e) and/or (d) and/or (f) in subunits (Y), for the purpose of abusing the active ingredient and obtain a powder which is extracted with a suitable extracting agent, not only the active ingredient but also the particular component (c) and/or (e) and/or (f) and/or (d) will be obtained in a form in which it cannot readily be separated from the active ingredient, such that when the dosage form which has been tampered with is administered, in particular by oral and/or parenteral administration, it will exert its effect on taking and/or in the body combined with an additional negative effect on the abuser corresponding to component (c) and/or (d) and/or (f) or, when the attempt is

US 8,309,060 B2

13

made to extract the active ingredient, the coloration will act as a deterrent and so prevent abuse of the dosage form.

A dosage form according to the invention, in which the active ingredient or active ingredients is/are spatially separated from components (c), (d) and/or (e), preferably by formulation in different subunits, may be formulated in many different ways, wherein the corresponding subunits may each be present in the dosage form according to the invention in any desired spatial arrangement relative to one another, provided that the above-stated conditions for the release of components (c) and/or (d) are fulfilled.

The person skilled in the art will understand that component(s) (a) and/or (b) which are optionally also present may preferably be formulated in the dosage form according to the invention both in the particular subunits (X) and (Y) and in the form of independent subunits corresponding to subunits (X) and (Y), provided that neither the abuse-proofing nor the active ingredient release in the event of correct administration is impaired by the nature of the formulation and the polymer (C) is included in the formulation and formulation is carried out in accordance with the above-stated process.

In a preferred embodiment of the dosage form according to the invention, subunits (X) and (Y) are present in multiparticulate form, wherein microtablets, microcapsules, micro-pellets, granules, spheroids, beads or pellets are preferred and the same form, i.e. shape, is selected for both subunit (X) and subunit (Y), such that it is not possible to separate subunits (X) from (Y) by mechanical selection. The multiparticulate forms are preferably of a size in the range from 0.1 to 3 mm, preferably of 0.5 to 2 mm.

The subunits (X) and (Y) in multiparticulate form may also preferably be packaged in a capsule or be pressed into a tablet, wherein the final formulation in each case proceeds in such a manner that the subunits (X) and (Y) are also retained in the resultant dosage form.

The multiparticulate subunits (X) and (Y) of identical shape should also not be visually distinguishable from one another so that the abuser cannot separate them from one another by simple sorting. This may, for example, be achieved by the application of identical coatings which, apart from this disguising function, may also incorporate further functions, such as, for example, controlled release of one or more active ingredients or provision of a finish resistant to gastric juices on the particular subunits.

In a further preferred embodiment of the present invention, subunits (X) and (Y) are in each case arranged in layers relative to one another.

The layered subunits (X) and (Y) are preferably arranged for this purpose vertically or horizontally relative to one another in the dosage form according to the invention, wherein in each case one or more layered subunits (X) and one or more layered subunits (Y) may be present in the dosage form, such that, apart from the preferred layer sequences (X)-(Y) or (X)-(Y)-(X), any desired other layer sequences may be considered, optionally in combination with layers containing components (a) and/or (b).

Another preferred dosage form according to the invention is one in which subunit (Y) forms a core which is completely enclosed by subunit (X), wherein a separation layer (Z) may be present between said layers. Such a structure is preferably also suitable for the above-stated multiparticulate forms, wherein both subunits (X) and (Y) and an optionally present separation layer (Z), which must satisfy the hardness requirement according to the invention, are formulated in one and the same multiparticulate form. In a further preferred embodiment of the dosage form according to the invention, the subunit (X) forms a core, which is enclosed by subunit (Y),

14

wherein the latter comprises at least one channel which leads from the core to the surface of the dosage form.

The dosage form according to the invention may comprise, between one layer of the subunit (X) and one layer of the subunit (Y), in each case one or more, preferably one, optionally swellable separation layer (Z) which serves to separate subunit (X) spatially from (Y).

If the dosage form according to the invention comprises the layered subunits (X) and (Y) and an optionally present separation layer (Z) in an at least partially vertical or horizontal arrangement, the dosage form preferably takes the form of a tablet, a coextrudate or a laminate.

In one particularly preferred embodiment, the entirety of the free surface of subunit (Y) and optionally at least part of the free surface of subunit(s) (X) and optionally at least part of the free surface of the optionally present separation layer(s) (Z) may be coated with at least one barrier layer (Z') which prevents release of component (c) and/or (e) and/or (d) and/or (f). The barrier layer (Z') must also fulfil the hardness conditions according to the invention.

Another particularly preferred embodiment of the dosage form according to the invention comprises a vertical or horizontal arrangement of the layers of subunits (X) and (Y) and at least one push layer (p) arranged therebetween, and optionally a separation layer (Z), in which dosage form the entirety of the free surface of layer structure consisting of subunits (X) and (Y), the push layer and the optionally present separation layer (Z) is provided with a semipermeable coating (E), which is permeable to a release medium, i.e. conventionally a physiological liquid, but substantially impermeable to the active ingredient and to component (c) and/or (d) and/or (f), and wherein this coating (E) comprises at least one opening for release of the active ingredient in the area of subunit (X).

A corresponding dosage form is known to the person skilled in the art, for example under the name oral osmotic therapeutic system (OROS), as are suitable materials and methods for the production thereof, inter alia from U.S. Pat. No. 4,612,008, U.S. Pat. No. 4,765,989 and U.S. Pat. No. 4,783,337. The corresponding descriptions are hereby introduced as a reference and are deemed to be part of the disclosure.

In a further preferred embodiment, the subunit (X) of the dosage form according to the invention is in the form of a tablet, the edge face of which and optionally one of the two main faces is covered with a barrier layer (Z') containing component (c) and/or (d) and/or (f).

The person skilled in the art will understand that the auxiliary substances of the subunit(s) (X) or (Y) and of the optionally present separation layer(s) (Z) and/or of the barrier layer(s) (Z') used in formulating the dosage form according to the invention will vary as a function of the arrangement thereof in the dosage form according to the invention, the mode of administration and as a function of the particular active ingredient of the optionally present components (a) and/or (b) and/or (e) and of component (c) and/or (d) and/or (f). The materials which have the requisite properties are in each case known per se to the person skilled in the art.

If release of component (c) and/or (d) and/or (f) from subunit (Y) of the dosage form according to the invention is prevented with the assistance of a cover, preferably a barrier layer, the subunit may consist of conventional materials known to the person skilled in the art, providing that it contains at least one polymer (C) to fulfil the hardness condition of the dosage form according to the invention.

If a corresponding barrier layer (Z') is not provided to prevent release of component (c) and/or (d) and/or (f), the materials of the subunits should be selected such that release

US 8,309,060 B2

15

of the particular component (c) and/or (d) from subunit (Y) is virtually ruled out. The materials which are stated below to be suitable for production of the barrier layer may preferably be used for this purpose. The materials for the separation layer and/or barrier layer must contain at least one polymer (C) in order to fulfil the hardness conditions.

Preferred materials are those which are selected from the group consisting of alkylcelluloses, hydroxyalkylcelluloses, glucans, scleroglucans, mannans, xanthans, copolymers of poly[bis(p-carboxyphenoxy)propane and sebacic acid, preferably in a molar ratio of 20:80 (commercially available under the name Polifeprosan 20®), carboxymethylcelluloses, cellulose ethers, cellulose esters, nitrocelluloses, polymers based on (meth)acrylic acid and the esters thereof, polyamides, polycarbonates, polyalkylenes, polyalkylene glycols, polyalkylene oxides, polyalkylene terephthalates, polyvinyl alcohols, polyvinyl ethers, polyvinyl esters, halogenated polyvinyls, polyglycolides, polysiloxanes and polyurethanes and the copolymers thereof.

Particularly suitable materials may be selected from the group consisting of methylcellulose, ethylcellulose, hydroxypropylcellulose, hydroxypropylmethylcellulose, hydroxybutylmethylcellulose, cellulose acetate, cellulose propionate (of low, medium or high molecular weight), cellulose acetate propionate, cellulose acetate butyrate, cellulose acetate phthalate, carboxymethylcellulose, cellulose triacetate, sodium cellulose sulfate, polymethyl methacrylate, polyethyl methacrylate, polybutyl methacrylate, polyisobutyl methacrylate, polyhexyl methacrylate, polyisodecyl methacrylate, polylauryl methacrylate, polyphenyl methacrylate, polymethyl acrylate, polyisopropyl acrylate, polyisobutyl acrylate, polyoctadecyl acrylate, polyethylene, low density polyethylene, high density polyethylene, polypropylene, polyethylene glycol, polyethylene oxide, polyethylene terephthalate, polyvinyl alcohol, polyvinyl isobutyl ether, polyvinyl acetate and polyvinyl chloride.

Particularly suitable copolymers may be selected from the group consisting of copolymers of butyl methacrylate and isobutyl methacrylate, copolymers of methyl vinyl ether and maleic acid with high molecular weight, copolymers of methyl vinyl ether and maleic acid monoethyl ester, copolymers of methyl vinyl ether and maleic anhydride and copolymers of vinyl alcohol and vinyl acetate.

Further materials which are particularly suitable for formulating the barrier layer are starch-filled polycaprolactone (WO98/20073), aliphatic polyesteramides (DE 19 753 534 A1, DE 19 800 698 A1, EP 0 820 698 A1), aliphatic and aromatic polyester urethanes (DE 19822979), polyhydroxyalkanoates, in particular polyhydroxybutyrates, polyhydroxyvalerates, casein (DE 4 309 528), polylactides and copolylactides (EP 0 980 894 A1). The corresponding descriptions are hereby introduced as a reference and are deemed to be part of the disclosure.

The above-stated materials may optionally be blended with further conventional auxiliary substances known to the person skilled in the art, preferably selected from the group consisting of glyceryl monostearate, semi-synthetic triglyceride derivatives, semi-synthetic glycerides, hydrogenated castor oil, glyceryl palmitostearate, glyceryl behenate, polyvinylpyrrolidone, gelatine, magnesium stearate, stearic acid, sodium stearate, talcum, sodium benzoate, boric acid and colloidal silica, fatty acids, substituted triglycerides, glycerides, polyoxyalkylene glycols and the derivatives thereof.

If the dosage form according to the invention comprises a separation layer (Z'), said layer, like the uncovered subunit (Y), may preferably consist of the above-stated materials described for the barrier layer. The person skilled in the art

16

will understand that release of the active ingredient or of component (c) and/or (d) from the particular subunit may be controlled by the thickness of the separation layer.

The dosage form according to the invention may comprise one or more active ingredients at least partially in controlled release form, wherein controlled release may be achieved with the assistance of conventional materials and methods known to the person skilled in the art, for example by embedding the active ingredient in a controlled release matrix or by the application of one or more controlled release coatings. Active ingredient release must, however, be controlled such that the above-stated conditions are fulfilled in each case, for example that, in the event of correct administration of the dosage form, the active ingredient or active ingredients are virtually completely released before the optionally present component (c) and/or (d) can exert an impairing effect.

Controlled release from the dosage form according to the invention is preferably achieved by embedding the active ingredient in a matrix. The auxiliary substances acting as matrix materials control active ingredient release. Matrix materials may, for example, be hydrophilic, gel-forming materials, from which active ingredient release proceeds mainly by diffusion, or hydrophobic materials, from which active ingredient release proceeds mainly by diffusion from the pores in the matrix.

Physiologically acceptable, hydrophobic materials which are known to the person skilled in the art may be used as matrix materials. Polymers, particularly preferably cellulose ethers, cellulose esters and/or acrylic resins are preferably used as hydrophilic matrix materials. Ethylcellulose, hydroxypropylmethylcellulose, hydroxypropylcellulose, hydroxymethylcellulose, poly(meth)acrylic acid and/or the derivatives thereof, such as the salts, amides or esters thereof are very particularly preferably used as matrix materials.

Matrix materials prepared from hydrophobic materials, such as hydrophobic polymers, waxes, fats, long-chain fatty acids, fatty alcohols or corresponding esters or ethers or mixtures thereof are also preferred. Mono- or diglycerides of C12-C30 fatty acids and/or C12-C30 fatty alcohols and/or waxes or mixtures thereof are particularly preferably used as hydrophobic materials.

It is also possible to use mixtures of the above-stated hydrophilic and hydrophobic materials as matrix materials.

Component (C) and the optionally present component (D), which serve to achieve the breaking strength of at least 500 N which is necessary according to the invention may furthermore also optionally serve as additional matrix materials.

If the dosage form according to the invention is intended for oral administration, it may also preferably comprise a coating which is resistant to gastric juices and dissolves as a function of the pH value of the release environment. By means of this coating, it is possible to ensure that the dosage form according to the invention passes through the stomach undissolved and the active ingredient is only released in the intestines. The coating which is resistant to gastric juices preferably dissolves at a pH value of between 5 and 7.5.

Corresponding materials and methods for the controlled release of active ingredients and for the application of coatings which are resistant to gastric juices are known to the person skilled in the art, for example from "Coated Pharmaceutical Dosage Forms—Fundamentals, Manufacturing Techniques, Biopharmaceutical Aspects, Test Methods and Raw Materials" by Kurt H. Bauer, K. Lehmann, Hermann P. Osterwald, Rothgang, Gerhart, 1st edition, 1998, Medpharm Scientific Publishers. The corresponding literature description is hereby introduced as a reference and is deemed to be part of the disclosure.

US 8,309,060 B2

17

Method for Determining Breaking Strength

A) In order to verify whether a polymer may be used as component (C), the polymer is pressed to form a tablet with a diameter of 10 mm and a height of 5 mm using a force of 150 N at a temperature which at least corresponds to the softening point of the polymer and is determined with the assistance of a DSC diagram of the polymer. Using tablets produced in this manner, breaking strength is determined with the apparatus described below in accordance with the method for determining the breaking strength of tablets published in the European Pharmacopoeia 1997, page 143-144, method no. 2.9.8. The apparatus used for the measurement is a series 3300 universal tester, single column benchtop model no. 3345 from Instron®, Canton, Mass., USA. The clamping tool used is a pressure piston with a diameter of 25 mm, which can be subjected to a load of up to 1 kN (item no. 2501-3 from Instron®).

An Instron® universal tester, single column benchtop model no. 5543, with the above-stated clamping tool may also be used to carry out the measurement.

The tablets deemed to be resistant to breaking under a specific load include not only those which have not broken but also those which may have suffered plastic deformation under the action of the force.

Providing that the dosage form is in tablet form, breaking strength may be determined using the same measurement method.

The following Examples illustrate the invention purely by way of example and without restricting the general concept of the invention.

EXAMPLES

Tramadol hydrochloride was used as the active ingredient in a series of Examples. Tramadol hydrochloride was used, despite tramadol not being an active ingredient which conventionally has abuse potential, because it is not governed by German narcotics legislation, so simplifying the experimental work. Tramadol is moreover a member of the opioid class with excellent water solubility.

Example 1

Components	Per tablet	Complete batch
Tramadol hydrochloride	100 mg	100 g
Polyethylene oxide, NF, MFI (190° C. at 21.6 kg/10 min) <0.5 g	200 mg	200 g
MW 7 000 000 (Polyox WSR 303, Dow Chemicals)		
Total weight	300 mg	300 g

Tramadol hydrochloride and polyethylene oxide powder were mixed in a free-fall mixer. A tableting tool with top punch, bottom punch and die for tablets with a diameter of 10 mm and a radius of curvature of 8 mm was heated to 80° C. in a heating cabinet. 300 mg portions of the powder mixture were pressed with the heated tool, wherein pressure was maintained for at least 15 seconds by clamping the tableting tool in a vice.

18

The breaking strength of the tablets was determined with the stated apparatus in accordance with the stated method. The tablets did not break when exposed to a force of 500 N.

The tablet could not be comminuted using a hammer, nor with the assistance of a mortar and pestle.

In vitro release of the active ingredient from the preparation was determined in a paddle stirrer apparatus in accordance with Pharm. Eur. The temperature of the release medium was 37° C. and the rotational speed of the stirrer 75 min⁻¹. At the beginning of the investigation, each tablet was placed in a 600 ml portion of artificial gastric juice, pH 1.2. After 30 minutes, the pH value was increased to 2.3 by addition of alkali solution, after a further 90 minutes to pH 6.5 and after a further 60 minutes to pH 7.2. The released quantity of active ingredient present in the dissolution medium at each point in time was determined by spectrophotometry.

Time	Released quantity
30 min	15%
240 min	52%
480 min	80%
720 min	99%

Example 2

300 mg portions of the powder mixture from Example 1 were heated to 80° C. and in placed in the die of the tableting tool. Pressing was then performed. The tablet exhibits the same properties such as the tablet in Example 1.

Example 3

Raw material	Per tablet	Complete batch
Tramadol hydrochloride	50 mg	100 g
Polyethylene oxide, NF, MW 7 000 000 (Polyox WSR 303, Dow Chemicals)	100 mg	200 g
Total weight	150 mg	300 g

Tramadol hydrochloride and the above-stated components were mixed in a free-fall mixer. A tableting tool with top punch, bottom punch and die for tablets with a diameter of 7 mm was heated to 80° C. in a heating cabinet. 150 mg portions of the powder mixture were pressed with the heated tool, wherein pressure was maintained for at least 15 seconds by clamping the tableting tool in a vice.

The breaking strength of the tablets was determined with the stated apparatus in accordance with the stated method. The tablets did not break when exposed to a force of 500 N.

In vitro release of the active ingredient was determined as in Example 1 and was:

Time	Released quantity
30 min	15%
240 min	62%
480 min	88%
720 min	99%

US 8,309,060 B2

19
Example 4

Raw material	Per tablet	Complete batch
Tramadol hydrochloride	100 mg	100 g
Polyethylene oxide, NF, MW 7 000 000 (Polyox WSR 303, Dow Chemicals)	180 mg	180 g
Xanthan, NF	20 mg	20 g
Total weight	300 mg	300 g

Tramadol hydrochloride, xanthan and polyethylene oxide were mixed in a free-fall mixer. A tableting tool with top punch, bottom punch and die for tablets with a diameter of 10 mm and a radius of curvature of 8 mm was heated to 80° C. in a heating cabinet. 300 mg portions of the powder mixture were pressed with the heated tool, wherein pressure was maintained for at least 15 seconds by clamping the tableting tool in a vice.

The breaking strength of the tablets was determined with the stated apparatus in accordance with the stated method. The tablets did not break when exposed to a force of 500 N. The tablets did suffer a little plastic deformation.

In vitro release of the active ingredient was determined as in Example 1 and was:

Time	Released quantity
30 min	14%
240 min	54%
480 min	81%
720 min	99%

The tablets could be cut up with a knife into pieces of an edge length of as small as approx. 2 mm. No further comminution proceeding as far as pulverisation was possible. When the pieces are combined with water, a highly viscous gel is formed. Only with great difficulty could the gel be pressed through a 0.9 mm injection cannula. When the gel was injected into water, the gel did not spontaneously mix with water, but remained visually distinguishable.

Example 5

Raw material	Per tablet	Complete batch
Tramadol hydrochloride	50 mg	100 g
Polyethylene oxide, NF, MW 7 000 000 (Polyox WSR 303, Dow Chemicals)	90 mg	180 g
Xanthan, NF	10 mg	20 g
Total weight	300 mg	300 g

Tramadol hydrochloride, xanthan and polyethylene oxide were mixed in a free-fall mixer. A tableting tool with top punch, bottom punch and die for oblong tablets 10 mm in length and 5 mm in width was heated to 90° C. in a heating cabinet. 150 mg portions of the powder mixture were pressed with the heated tool, wherein pressure was maintained for at least 15 seconds by clamping the tableting tool in a vice.

20

The breaking strength of the tablets was determined with the stated apparatus in accordance with the stated method. The tablets did not break when exposed to a force of 500 N. The tablets did suffer a little plastic deformation.

In vitro release of the active ingredient was determined as in Example 1 and was:

Time	Released quantity
30 min	22%
120 min	50%
240 min	80%
360 min	90%
480 min	99%

The tablets could be cut up into pieces of an edge length of as small as approx. 2 mm, but could not be pulverised. When the pieces are combined with water, a highly viscous gel is formed. Only with great difficulty could the gel be pressed through a 0.9 mm injection cannula. When the gel was injected into water, the gel did not spontaneously mix with water, but remained visually distinguishable.

Example 6

A tablet with the following composition was produced as described in Example 1:

Components	Per tablet	Per batch
Oxycodone hydrochloride	20.0 mg	0.240 g
Xanthan, NF	20.0 mg	0.240 g
Polyethylene oxide, NF, MFI (190° C. at 21.6 kg/10 min) <0.5 g, MW 7 000 000 (Polyox WSR 303, Dow Chemicals)	110.0 mg	1.320 g
Total weight	150.0 mg	1.800 g

Release of the active ingredient was determined as follows:

In vitro release of the active ingredient from the preparation was determined in a paddle stirrer apparatus in accordance with Pharm. Eur. The temperature of the release medium was 37° C. and the rotational speed 75 rpm. The phosphate buffer, pH 6.8, described in DSP served as the release medium. The quantity of active ingredient present in the solvent at the particular time of testing was determined by spectrophotometry.

Time	Mean
0 min	0%
30 min	17%
240 min	61%
480 min	90%
720 min	101.1%

The breaking strength of the tablets was determined with the stated apparatus in accordance with the stated method. The tablets did not break when exposed to a force of 500 N.

The tablets could be cut up into pieces of an edge length of as small as approx. 2 mm, but could not be pulverised. When the pieces are combined with water, a highly viscous gel is formed. Only with great difficulty could the gel be pressed

US 8,309,060 B2

21

through a 0.9 mm injection cannula. When the gel was injected into water, the gel did not spontaneously mix with water, but remained visually distinguishable.

What is claimed is:

1. An abuse-proofed, thermoformed dosage form comprising one or more active ingredients with abuse potential (A) optionally together with physiologically acceptable auxiliary substances (B), at least one synthetic or natural polymer (C), wherein the polymer (C) has a molecular weight of at least 0.5 million according to rheological measurements, and optionally at least one wax (D), wherein the dosage form exhibits a breaking strength of at least 500 N.

2. A dosage form according to claim 1, which is in the form of a tablet.

3. A dosage form according to claim 1, which is in multiparticulate form.

4. A dosage form according to claim 1, wherein the polymer (C) is at least one polymer selected from the group consisting of polyethylene oxide, polymethylene oxide, polypropylene oxide, polyethylene, polypropylene, polyvinyl chloride, polycarbonate, polystyrene, polyacrylate, copolymers and the mixtures thereof.

5. A dosage form according to claim 1, wherein the molecular weight is 1-15 million.

6. A dosage form according to claim 1, which comprises the wax (D) and the wax (D) is at least one natural, semi-synthetic or synthetic wax with a softening point of at least 60° C.

7. A dosage form according to claim 6, wherein the wax (D) is carnauba wax or beeswax.

8. A dosage form according to claim 1, wherein the active ingredient (A) is at least one active ingredient selected from the group consisting of opiates, opioids, tranquilizers, stimulants, barbiturates and further narcotics.

9. A dosage form according to claim 1, which additionally comprises at least one of the following components a)-f):

(a) at least one substance which irritates the nasal passages and/or pharynx,

(b) at least one viscosity-increasing agent, which, with the assistance of a necessary minimum quantity of an aqueous liquid, forms a gel with the extract obtained from the dosage form, which gel optionally remains visually distinguishable when introduced into a further quantity of an aqueous liquid,

(c) at least one antagonist for the active ingredient or active ingredients with abuse potential,

(d) at least one emetic,

(e) at least one dye as an aversive agent,

(f) at least one bitter substance.

10. A dosage form according to claim 9, wherein the component (a) irritant substance causes burning, itching, an urge to sneeze, increased formation of secretions or a combination of at least two of these stimuli.

11. A dosage form according to claim 10, wherein the component (a) irritant substance is based on one or more constituents of at least one hot substance drug.

12. A dosage form according to claim 11, wherein the hot substance drug is at least one drug selected from the group consisting of *Allii sativi bulbis* (garlic), *Asari rhizoma cum herba* (Asarum root and leaves), *Calami rhizoma* (calamus root), *Capsici fructus* (capsicum), *Capsici fructus acer* (cayenne pepper), *Curcumae longae rhizoma* (turmeric root), *Curcumae xanthorrhizae rhizoma* (Javanese turmeric root), *Galangae rhizoma* (galangal root), *Myristicae semen* (nutmeg), *Piperis nigri fructus* (pepper), *Sinapis albae semen*

22

(*erucacae/white mustard seed*), *Sinapis nigri semen* (black mustard seed), *Zedoariae rhizoma* (zedoary root) and *Zingiberis rhizoma* (ginger root).

13. A dosage form according to claim 11, wherein the constituent of the hot substance drug is an o-methoxy(methyl)phenol compound, an acid amide compound, a mustard oil or a sulfide compound or is derived from such a compound.

14. A dosage form according to claim 11, wherein the constituent of the hot substance drug is at least one constituent selected from the group consisting of myristicin, elemicin, isoeugenol, β -asarone, safrole, gingerols, xanthorrhizol, capsaicinoids, piperine, glucosinolates, and a compound derived from these constituents.

15. A dosage form according to claim 9, wherein component (b) is at least one viscosity-increasing agent selected from the group consisting of microcrystalline cellulose with 11 wt. % carboxymethylcellulose sodium (Avicel® RC 591), carboxymethylcellulose sodium (Blanose®, CMC-Na C300P®, Frimulsion BLC-5®, Tylose C300P®), polyacrylic acid (Carbopol® 980 NF, Carbopol® 981), locust bean flour (Cesagum® LA-200, Cesagum® LID/150, Cesagum® LN-1), citrus pectin (Cesapectin® HM Medium Rapid Set), waxy maize starch (C*Gel 042010®), sodium alginate (Frimulsion ALG (E401)®), guar flour (Frimulsion BM®), Polygum 26/1-75®), iota carrageen (Frimulsion D021®), karaya gum, gellan gum (Kelcogel F®, Kelcogel LT100®), galactomannan (Meyprogat 150®), tara bean flour (Polygum 43/1®), propylene glycol alginate (Protanal-Ester SD-LB®), sodium hyaluronate, apple pectin, pectin from lemon peel, sodium hyaluronate, tragacanth, tara gum (Vidogum SP 200®), fermented polysaccharide welan gum (K1A96) and xanthan gum (Xantural 180®).

16. A dosage form according to claim 9, wherein component (c) is at least one opiate or opioid antagonist selected from the group consisting of naloxone, naltrexone, nalmefene, nalid, nalmexone, nalorphine, naluphine and a corresponding physiologically acceptable compound.

17. A dosage form according to claim 9, wherein component (c) is at least one neuroleptic stimulant antagonist.

18. A dosage form according to claim 9, wherein component (d) emetic is based on one or more constituents of *radix ipecacuanha* (ipecac root) and/or is apomorphine.

19. A dosage form according to claim 9, wherein component (e) is at least one physiologically acceptable dye.

20. A dosage form according to claim 9, wherein component (f) is at least one bitter substance selected from the group consisting of aromatic oils, fruit aroma substances, denatonium benzoate and mixtures thereof.

21. A dosage form according to claim 9, wherein the active ingredient or active ingredients (A) is/are spatially separated from component (c) and/or (d) and/or (f), wherein the active ingredient or active ingredients (A) is/are optionally present in at least one subunit (X) and components (c) and/or (d) and/or (f) is/are present in at least one subunit (Y), and, when the dosage form is correctly administered, components (c) and/or (d) and/or (f) from subunit (Y) do not exert their effect in the body and/or on taking.

22. A dosage form according to claim 1, which comprises at least one active ingredient at least partially in controlled release form.

23. A dosage form according to claim 22, wherein each of the active ingredients with abuse potential (A) is present in a controlled release matrix.

24. A dosage form according to claim 23, wherein component (C) and/or component (D) also serve as a controlled release matrix material.

US 8,309,060 B2

23

25. A process for the production of a dosage form according to claim 1, comprising:

mixing components (A), (B), (C) and the optionally present component (D) and the optionally present components (a) to (f) to form a resultant mixture, and press-forming the resultant mixture, optionally after granulation, to yield the dosage form with preceding, simultaneous, or subsequent exposure to heat.

26. A process according to claim 25, wherein granulation is performed by means of a melt process.

27. A dosage form obtainable by a process according to claim 25.

28. A method of treating a therapeutic condition in a patient suffering therefrom, said method comprising administering to said patient a dosage form according to claim 1.

29. The method according to claim 28, wherein the therapeutic condition is pain.

30. A dosage form according to claim 1, wherein the polymer (C) is polyethylene oxide having a molecular weight of from 1-15 million g/mol.

24

31. A dosage form according to claim 1, wherein the one or more active ingredients with abuse potential (A) is/are selected from the group consisting of oxymorphone, oxycodone, tapentadol and the physiologically acceptable salts thereof.

32. A dosage form according to claim 31, which is in the form of a tablet.

33. A dosage form according to claim 1, wherein the content of polymer (C) is at least 30% by weight relative to the total weight of the dosage form.

34. A dosage form according to claim 1, which is in the form of a tablet, wherein the one or more active ingredients with abuse potential (A) is/are selected from the group consisting of oxymorphone, oxycodone, tapentadol and the physiologically acceptable salts thereof; wherein the polymer (C) is polyethylene oxide having a molecular weight of from 1-15 million g/mol;

and wherein the content of polymer (C) is at least 30% by weight relative to the total weight of the dosage form.

* * * * *